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INVESTIGATION OF COMMUNIST ACTIVITIES IN
THE BALTIMORE, MD., AREA—PART 2

HEARING

BEFORE THE

COMMITTEE ON UN-AMERICAN ACTIVITIES
HOUSE OF REPRESENTATIVES

EIGHTY-FIFTH CONGRESS

FIRST SESSION

MAY 9, 1957

Printed for the use of the Committee on Un-American Activities

INCLUDING INDEX



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COMMITTEE ON UN-AMERICAN ACTIVITIES

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PUBLIC LAW 601, 79TH CONGRESS

The legislation under which the House Committee on Un-American Activities operates is Public Law 601, 79th Congress [1946], chapter 753, 2d session, which provides:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, * * **

PART 2—RULES OF THE HOUSE OF REPRESENTATIVES

RULE X

SEC. 121. STANDING COMMITTEES

* * * * *

17. Committee on Un-American Activities, to consist of nine Members.

RULE XI

POWERS AND DUTIES OF COMMITTEES

* * * * *

(q) (1) Committee on Un-American Activities.

(A) Un-American activities.

(2) The Committee on Un-American Activities, as a whole or by subcommittee, is authorized to make from time to time investigations of (i) the extent, character, and objects of un-American propaganda activities in the United States, (ii) the diffusion within the United States of subversive and un-American propaganda that is instigated from foreign countries or of a domestic origin and attacks the principle of the form of government as guaranteed by our Constitution, and (iii) all other questions in relation thereto that would aid Congress in any necessary remedial legislation.

The Committee on Un-American Activities shall report to the House (or to the Clerk of the House if the House is not in session) the results of any such investigation, together with such recommendations as it deems advisable.

For the purpose of any such investigation, the Committee on Un-American Activities, or any subcommittee thereof, is authorized to sit and act at such times and places within the United States, whether or not the House is sitting, has recessed, or has adjourned, to hold such hearings, to require the attendance of such witnesses and the production of such books, papers, and documents, and to take such testimony, as it deems necessary. Subpenas may be issued under the signature of the chairman of the committee or any subcommittee, or by any member designated by any such chairman, and may be served by any person designated by any such chairman or member.

* * * * *

RULE XII

LEGISLATIVE OVERSIGHT BY STANDING COMMITTEES

SEC. 136. To assist the Congress in appraising the administration of the laws and in developing such amendments or related legislation as it may deem necessary, each standing committee of the Senate and the House of Representatives shall exercise continuous watchfulness of the execution by the administrative agencies concerned of any laws, the subject matter of which is within the jurisdiction of such committee; and, for that purpose, shall study all pertinent reports and data submitted to the Congress by the agencies in the executive branch of the Government.

RULES ADOPTED BY THE 85TH CONGRESS

House Resolution 5, January 3, 1957

* * * * *

RULE X

STANDING COMMITTEES

1. There shall be elected by the House, at the commencement of each Congress,

* * * * *

- (q) Committee on Un-American Activities, to consist of nine Members.

* * * * *

RULE XI

POWERS AND DUTIES OF COMMITTEES

* * * * *

17. Committee on Un-American Activities.

(a) Un-American activities.

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* * * * *

26. To assist the House in appraising the administration of the laws and in developing such amendments or related legislation as it may deem necessary, each standing committee of the House shall exercise continuous watchfulness of the execution by the administrative agencies concerned of any laws, the subject matter of which is within the jurisdiction of such committee; and, for that purpose, shall study all pertinent reports and data submitted to the House by the agencies in the executive branch of the Government.

INVESTIGATION OF COMMUNIST ACTIVITIES IN THE BALTIMORE, MD., AREA—PART 2

THURSDAY, MAY 9, 1957

UNITED STATES HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE OF THE
COMMITTEE ON UN-AMERICAN ACTIVITIES,
Baltimore, Md.

PUBLIC HEARING

The subcommittee of the Committee on Un-American Activities met, pursuant to recess, at 10 a. m., in room 556, Federal Building, Baltimore, Md., Hon. Edwin E. Willis (chairman of the subcommittee) presiding.

Committee members present: Representatives Edwin E. Willis, of Louisiana, and Robert J. McIntosh, of Michigan.

Staff members present: Richard Arens, director; George C. Williams and Frank Bonora, investigators.

Mr. ARENS. The subcommittee will come to order.

Mr. ARENS. Mr. Chairman, may the record show that the chairman of the full committee, the Honorable Francis Walter, was obliged to leave because of previous commitments and that the present chairman, who is a member of this subcommittee, is the Honorable Edwin E. Willis, of Louisiana.

Mr. WILLIS. Thank you. Will you call your first witness.

Mr. ARENS. The first witness, if you please, Mr. Chairman, will be Abraham Kotelchuck. Will you kindly come forward?

Mr. ROMBRO. Mr. Chairman, Mr. Kotelchuck requests that he not be televised during the hearing of his testimony.

Mr. ARENS. Mr. Kotelchuck, will you kindly remain standing while the chairman administers the oath to you?

Mr. WILLIS. Will you raise your right hand.

Do you solemnly swear that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. KOTELCHUCK. I do.

TESTIMONY OF ABRAHAM KOTELCHUCK, ACCOMPANIED BY COUNSEL, RICHARD H. ROMBRO

Mr. ARENS. Kindly identify yourself by name, residence, and occupation.

Mr. KOTELCHUCK. My name is Kotelchuck, Abraham Kotelchuck, 2734 Reisterstown, Baltimore 15, Md.

Mr. ARENS. Will you please spell your name for us, Mr. Kotelchuck, so that we have it accurately in the record.

Mr. KOTELCHUCK. K-o-t-e-l-c-h-u-c-k.

Mr. ARENS. You are appearing today in response to a subpoena served upon you by the House Committee on Un-American Activities?

Mr. KOTELCHUCK. Yes, sir.

Mr. ARENS. You are represented by counsel?

Mr. KOTELCHUCK. I am.

Mr. ARENS. Counsel, will you kindly identify yourself on this record?

Mr. ROMBRO. Richard H. Rombro, Baltimore, Md.

Mr. ARENS. When and where were you born?

Mr. KOTELCHUCK. I was born January 18, 1911, in Poland.

Mr. ARENS. When did you come to the United States?

Mr. KOTELCHUCK. In 1921.

Mr. ARENS. Were you admitted for permanent residence at that time?

Mr. KOTELCHUCK. Yes.

Mr. ARENS. Are you a citizen of the United States?

Mr. KOTELCHUCK. I am.

Mr. ARENS. Are you a citizen by naturalization or derivation?

Mr. KOTELCHUCK. By derivation.

Mr. ARENS. Now, give us, if you please, a brief sketch of your education.

Mr. KOTELCHUCK. Grammar school, high school, college.

Mr. ARENS. Where did you go to college?

Mr. KOTELCHUCK. New York University, Columbia University.

Mr. ARENS. What degrees did you receive?

Mr. KOTELCHUCK. Bachelor of arts.

Mr. ARENS. Did you receive any degree from Columbia?

Mr. KOTELCHUCK. I did not complete my work there. I had 1 year of graduate work in physics at Columbia.

Mr. ARENS. When did you complete your formal education?

Mr. KOTELCHUCK. I believe that was the extent of my formal education.

Mr. ARENS. What was the year?

Mr. KOTELCHUCK. 1935.

Mr. ARENS. Will you kindly tell us the first principal employment you had after you completed your formal education in 1935?

Mr. KOTELCHUCK. I will do that by roughly giving you my general principal employments and then going back to whatever period you want. That might be more helpful.

During the war and shortly for a period thereafter, I was employed in my profession as a physicist.

Before the war my work was mostly as a clerk.

In the recent period I worked in various fields, primarily in television repair and skilled work.

Mr. ARENS. Would you kindly tell us your first employment in the engineering physicist field, please?

Mr. KOTELCHUCK. I worked for the Navy in 1942-43.

Mr. ARENS. Where was that, please, sir?

Mr. KOTELCHUCK. I was actually stationed in Baltimore, Md.

Mr. ARENS. Were you part of the enlisted personnel, or were you a civilian employee?

Mr. KOTELCHUCK. I was a civilian professional employee.

Mr. ARENS. In what particular plant did you work?

Mr. KOTELCHUCK. I worked out of one of the shipyards. I think it was Bethlehem Steel, Key Highway.

Mr. ARENS. In what capacity did you work?

Mr. KOTELCHUCK. I was responsible for work in the outfitting, testing, checking of vessels for antinine protection.

Mr. ARENS. Did you during the course of your employment with the Navy in 1942 and 1943, have access to confidential or restricted information?

Mr. KOTELCHUCK. Yes.

Mr. ARENS. What was the nature of the confidential or restricted information to which you had access?

Mr. KOTELCHUCK. The work itself.

Mr. ARENS. You mean because of the various devices which were affixed to the vessels, protective devices?

Mr. KOTELCHUCK. For which I had responsibility; yes.

Mr. ARENS. During the course of your employment with the United States Navy from 1942 to 1943, were you at any time a member of the Communist Party?

Mr. KOTELCHUCK. I refuse to answer that question on the ground that any answer I might give might tend to incriminate me.

Mr. ARENS. Will you kindly develop for us on this record whether or not, at any time during your service with the United States Navy, from 1942 to 1943, you caused to be transmitted, or participated in the transmission of, any information of a confidential, restricted nature to any person not authorized to receive the same?

Mr. KOTELCHUCK. I most definitely did not give any information to any unauthorized person.

Mr. ARENS. Were you under Communist Party discipline during the course of your period of employment with the United States Navy?

Mr. KOTELCHUCK. I refuse to answer that question on the grounds previously stated.

Mr. ARENS. What caused your disassociation from the Navy?

Mr. KOTELCHUCK. Voluntary action on my own part with the consent of my employers.

Mr. ARENS. What was your next employment and where, please, sir?

Mr. KOTELCHUCK. I worked for the Army at the Aberdeen Proving Ground, at the Ballistics Research Laboratory.

Mr. ARENS. Would you give us the dates of your employment at Aberdeen?

Mr. KOTELCHUCK. 1943-1946.

Mr. ARENS. And in what capacity?

Mr. KOTELCHUCK. As a physicist.

Mr. ARENS. What was the nature of your work?

Mr. KOTELCHUCK. Well, mostly working on timing devices, accurate timing devices for measurement.

Mr. ARENS. Was the work in which you were engaged of a confidential, restricted nature?

Mr. KOTELCHUCK. It was.

Mr. ARENS. During the course of your employment at the Aberdeen Proving Ground for the United States Army, were you a member of the Communist Party?

Mr. KOTELCHUCK. I refuse to answer that question on the grounds previously stated.

Mr. ARENS. Was your employment at the Aberdeen Proving Ground, to your knowledge, procured or facilitated by any person known by you to be a member of the Communist Party?

Mr. KOTELCHUCK. I am sure it wasn't.

Mr. ARENS. Was your employment at the Aberdeen Proving Ground procured by you at the direction of any person known by you to be a member of the Communist Party?

Mr. KOTELCHUCK. No.

Mr. ARENS. What caused your disassociation from the Aberdeen Proving Ground employment?

Mr. KOTELCHUCK. Sir, will you please repeat the question?

Mr. ARENS. Strike the question because I have one which precedes it.

I lay before you now, Mr. Kotelchuck, a photostatic reproduction of a Declaration of Appointee for employment with the United States Government, the form of the United States Civil Service Commission. It is dated June 21, 1943, bearing the signature of Abraham Kotelchuck.

In this particular document we find a question, question No. 18:

Are you a member of any Communist or German Bund organization, or any political party or organization which advocates the overthrow of our constitutional form of government in the United States, or do you have membership in or any affiliation with any group, association, or organization which advocates, or lends support to any organization or movement advocating, the overthrow of our constitutional form of government in the United States? ----- (Yes or no.) If so, name the organization and give complete details on sheet to be attached hereto.

I observe in this form the word "No" after the principal question.

I see also an affidavit that this particular document was subscribed and sworn to and it bears the signature of yourself, Abraham Kotelchuck.

Will you kindly look at that document while you are under oath and be good enough to accommodate this Communitte on Un-American Activities by verifying the authenticity of that document as a reproduction of the original, and also verify the authenticity of the reproduction of your signature?

Would you kindly answer the question?

(The witness conferred with his counsel.)

Mr. KOTELCHUCK. Now, what was your question, whether I signed this?

Mr. ARENS. First of all, is that a true and correct reproduction of your signature to which I have just invited your attention?

Mr. KOTELCHUCK. That appears to be my signature.

Mr. ARENS. Did you sign the original of that document?

Mr. KOTELCHUCK. If that is my signature and it appears to be, I signed it.

Mr. ARENS. Did you affix or cause to be affixed this word "No." in response to the question in reference to any membership by yourself in a subversive organization?

Mr. KOTELCHUCK. The exact nature of how I signed it, when I signed it, or whether or not this is a true copy, is a complicated matter and I believe that I will refuse to answer the question on the grounds that an answer I may give under these circumstances might incriminate me.

Mr. ARENS. As of the time you signed this document on June 21, 1943, were you a member of a Communist organization?

Mr. KOTELCHUCK. I refuse to answer that question on the grounds stated.

Mr. ARENS. Did you tell the Federal Government, when you subscribed to this under oath, the truth with respect to your status in relation to the organizations alluded to in question 18?

Mr. KOTELCHUCK. I refuse to answer that question on the grounds stated.

Mr. WILLIS. During that period of time we were in the throes of a deadly war. Do you think that this was a proper question, or do you not think this was a proper question to ask of any person offering himself in the service of the United States involving restricted and secret matters?

Mr. KOTELCHUCK. My work record at the time——

Mr. WILLIS. I am not speaking about you particularly. Do you not think this was a vitally essential form to be filled out and a very vital question, the answer to which the Federal Government was entitled? Do you not think that was a proper question for the Federal Government to ask of you and all other persons, particularly during that time?

Mr. KOTELCHUCK. The question asked at that time and the question asked now are under circumstances entirely different and, therefore, a question that is answered now has to be in the context of the circumstances and political and legal situation under which we were existing.

Under these circumstances existing right now, I feel that an answer I give about something I did in good faith at another period may under the circumstances tend to incriminate me.

Mr. WILLIS. Of course, that is not my question at all. My question is: Do you not think that it was a proper question for the Federal Government to ask you and all other people offering their services, particularly in restricted areas?

Do you not think it was a proper question to ask at that time? And I am not asking you to say whether you signed this or did not sign it, or whether you answered "Yes" or "No."

I am asking you as of that time.

Mr. KOTELCHUCK. I will answer that question. I have no doubt in my mind that I considered myself, and I believe I was considered, a loyal citizen carrying out his duties at the time of war in a manner to the best interests of our country, and I am sure I did not at that time, I am speaking only about that time—I am not implying that it was different after or before—but I am sure that I acted in a manner to the best interest of our country and I was not in any way disloyal in any sense of the word and that as to the sense of the question, I am not a lawyer. I don't know. I don't know what my legal frame of mind was at the time.

But as I understood it, understand it now, and probably understood it then, the question asked of a loyal citizen, do I have any ideas of overthrowing the Government by force and violence——

Mr. ARENS. It does not say that. It asks you whether or not you were a member of the Communist Party. You knew as of 1943 whether or not you were a member of the Communist Party, did you not?

Mr. KOTELCHUCK. I am answering the question placed by the chairman. I think I am answering in substance that the sense of that question——

Mr. WILLIS. That is not my question at all. I am not asking you to go into your own conscience or your own answers at that time. I am asking you: Do you not think that that was a proper question to ask everyone?

Mr. KOTELCHUCK. It was a proper question to ask about the loyalty and intentions of a citizen, and I have no reason to doubt my own loyalty at the time and I answered it correctly, whatever my answer was. My only reservation on answering the questions specifically——

Mr. WILLIS. You say you answered it correctly?

Mr. KOTELCHUCK. I am answering correctly to the extent that I have no doubt that my work and intentions were loyal and that I am not a lawyer——

Mr. ARENS. Did you answer correctly when you wrote the word "No" in response to the question: "Are you a member of the Communist Party?" Did you answer that truthfully?

Mr. KOTELCHUCK. I have answered that question.

Mr. ARENS. Please answer it again so the record will be clear.

Mr. KOTELCHUCK. The record will show that I said under the circumstances I refused to answer the question on the grounds that it might tend to incriminate me.

Mr. ARENS. Mr. Chairman, I respectfully suggest that this document be appropriately marked and incorporated by reference in the record.

Mr. WILLIS. It will be so marked and so incorporated.

(Document marked "Kotelchuck Exhibit No. 1", and retained in committee files.)

Mr. ARENS. While you were working at the Aberdeen Proving Ground, who were some of your colleagues, your fellow employees? Do you have some whose names particularly stand out in your recollection?

Mr. KOTELCHUCK. I have no names that particularly stand out in my recollection.

Mr. ARENS. Let me suggest a few to see if they might refresh your recollection.

Irving Spector. Does that name stand out in your mind? Did you know him while you were working at the Aberdeen Proving Ground?

Mr. KOTELCHUCK. I refuse to answer that question on the grounds previously stated.

Mr. ARENS. How about Harry Spector? Does his name stand out?

Mr. KOTELCHUCK. I refuse to answer that question.

Mr. ARENS. Mr. Phil Weiss. Does his name ring a bell in your recollection?

Mr. KOTELCHUCK. I refuse to answer that question on the ground previously stated.

Mr. ARENS. How about R. (Rheabel) J. Mendelsohn? Does her name prompt any recollection of a friendship or association?

Mr. KOTELCHUCK. I refuse to answer that, sir.

Mr. ARENS. The fact is that you and they together were dismissed from Aberdeen Proving Ground on security grounds; is that not true?

Mr. KOTELCHUCK. My work was terminated involuntarily during that period.

Mr. ARENS. What do you mean by involuntarily?

Mr. KOTELCHUCK. It is a matter of public record—

Mr. ARENS. Then if it is a matter of public record, tell us what are the facts. Why were you fired from Aberdeen Proving Ground?

Mr. KOTELCHUCK. I would appreciate if you would let me finish the question.

My employment was terminated as a matter of public record under section 808, Public Law 808.

Mr. ARENS. Tell us now for the purpose of comparison for this record, were you fired on security grounds?

Mr. KOTELCHUCK. I am not familiar with the wording or intents of the law, but you can put whatever interpretation you wish.

Mr. ARENS. Tell us in your own words. You know whether or not you were fired on security grounds.

I respectfully suggest, Mr. Chairman, so that this record is absolutely clear, that the witness be ordered and directed to answer the question whether or not he was fired from Aberdeen Proving Ground on security grounds.

Mr. WILLIS. You are directed to answer that question.

Mr. KOTELCHUCK. I think the wording of Public Law 808 to the best of my knowledge—I don't remember the exact wording—was that if it is in the best—well, in the best interest of the United States Government, it permits the Government to terminate an employee without stating cause or reason why.

Mr. ARENS. Were some of your friends, irrespective of their names at the moment, likewise disassociated from employment at Aberdeen Proving Ground at the same time you were?

Mr. KOTELCHUCK. I refuse to answer the question on the grounds previously stated.

Mr. ARENS. Please tell us your next employment after your disassociation from Aberdeen Proving Ground.

Mr. KOTELCHUCK. I worked as an instructor in television and electronics.

Mr. ARENS. Where, please, sir?

Mr. KOTELCHUCK. At a local private school, in Baltimore.

Mr. ARENS. And the name of the school?

Mr. KOTELCHUCK. New York Technical Institute.

Mr. ARENS. Were you an employee of the school?

Mr. KOTELCHUCK. I was.

Mr. ARENS. Were you also an official of the school?

Mr. KOTELCHUCK. No.

Mr. ARENS. How long were you so engaged there?

Mr. KOTELCHUCK. 1946-49, I believe.

Mr. ARENS. What occasioned the termination of your association with this television school?

Mr. KOTELCHUCK. I believe in the normal course of employer-employee relation, I wouldn't know specifically—well, I want to rephrase that. I don't remember the exact circumstances.

Mr. ARENS. All right, sir. Will you kindly tell us about your next employment?

Mr. KOTELCHUCK. I taught at another school.

Mr. ARENS. Where?

Mr. KOTELCHUCK. In Baltimore.

Mr. ARENS. The name of the school, please, sir?

Mr. KOTELCHUCK. I think it is a popular name, it was ACRI, which stands for Air Conditioning Refrigeration Institute.

Mr. ARENS. How long did you teach there?

Mr. KOTELCHUCK. About a year.

Mr. ARENS. That gets us up to about the year 1950.

Mr. KOTELCHUCK. That is about right.

Mr. ARENS. Kindly tell us about your next employment, sir.

Mr. KOTELCHUCK. I worked in the television industry as a benchman, fixing television.

Mr. ARENS. How long were you engaged in that activity?

Mr. KOTELCHUCK. About a year.

Mr. ARENS. Then your next employment, please, sir?

Mr. KOTELCHUCK. My next significant employment was with the Maryland Bolt & Nut Co. as an unskilled worker.

Mr. ARENS. Did you file an application at the Maryland Bolt & Nut Co., a formal application, do you recall?

Mr. KOTELCHUCK. I presume I did.

Mr. ARENS. Is the Maryland Bolt & Nut Co. a subsidiary or an affiliate of the American Chain & Cable Co.?

Mr. KOTELCHUCK. It could well be.

Mr. ARENS. In the application that you filed for this job at the Maryland Bolt & Nut Co., which is an affiliate of the American Chain & Cable Co., did you tell them about your employment at the Aberdeen Proving Ground?

Mr. KOTELCHUCK. I wouldn't remember whether I did.

Mr. ARENS. Did you tell them about your education?

Mr. KOTELCHUCK. I don't remember what I put down. I put down whatever was necessary to help me get the job.

Mr. ARENS. You didn't omit any facts in order to help yourself get the job, did you?

Would you kindly answer that question? Do you have a recollection of omitting rather significant facts in order to help yourself get the job?

Mr. KOTELCHUCK. This was an application for an unskilled job, and I answered the questions pertinent to that thing to the best of my knowledge.

Mr. ARENS. I would like to lay before you now a photostatic copy of the application for that job on the form of the American Chain & Cable Co., Inc., March 10, 1953, bearing your signature.

I invite your attention to the entire document, but specifically, if you please, sir, to the previous employment. Look at that application

and see if it refreshes your recollection as to whether or not you told the American Chain & Cable Co. about your employment at Aberdeen Proving Ground. Does that appear on the application? Do you see that on the application?

Mr. KOTELCHUCK. Will you repeat your question, sir?

Mr. ARENS. Yes. Does your previous employment at Aberdeen Proving Ground appear on that application?

Mr. KOTELCHUCK. There is room there for just a few—there is just a small space for your employment. I did not put down my total employment since the time I started working.

Mr. ARENS. You did not have room for it; is that correct, or was it an oversight?

Mr. KOTELCHUCK. I see no significance in that question. I filed, I mean I answered that as was necessary there in order to get the job.

Mr. ARENS. On the schools attended, I see here in the application, although there are two blank spaces left where you could fill in more schools had you been disposed to do so, that you terminated the extent of your formal education with high school, according to this particular form.

Look and see if that refreshes your recollection. Does your perusal of that form refresh your recollection as to just why you did not enlighten your prospective employer with respect to your entire educational attainments?

Mr. KOTELCHUCK. Well, I was badly in need of a job at that time. I was not able to get a job in my profession. I answered the questions in order to get the job and I don't think that in applying for an unskilled job, which I needed badly to support myself, it would help me to get the job if I told them I was a college graduate.

(Document marked "Kotelchuck Exhibit No. 2" follows:)

1020 COMMUNIST ACTIVITIES IN THE BALTIMORE, MD., AREA

KOTELCHUCK EXHIBIT No. 2

AMERICAN CHAIN & CABLE COMPANY, Inc.
EMPLOYMENT APPLICATION

CLOCK NO. _____

DATE 3 10 53
MO. DAY YR.

(Answer All Questions That Apply to You)

START _____ A.M. _____ P.M. _____ 19 ____
DEPT. _____ RATE _____ CODE _____NAME Abraham Kotelchuck SOCIAL SECURITY NO. 220-14-9516
FIRST MIDDLE LAST
ADDRESS 2734 Reisterstown Rd. Balt 15 Md
NO. STREET CITY STATE

PHONE (OWN) _____ PHONE (NEIGHBOR) _____

SEX male MARRIED ☒ SINGLE _____ WIDOW(ER) _____ DIVORCED _____ SEPARATED _____AGE 42 DATE OF BIRTH Jan 18 1911 PLACE OF BIRTH Poland
MONTH DAY YEARWEIGHT 185 HEIGHT 5'10" WHAT PHYSICAL DEFECTS? noneOWN HOME _____ RENT HOME ☒ RENT APT. _____ ROOM _____ LIVE WITH PARENTS _____EVER ARRESTED no IF SO - DATE _____ PLACE _____

OFFENSE _____ HOW DISPOSED OF _____

CITIZENSHIP

U.S. CITIZEN? yes BIRTH OR BAPTISMAL CERTIFICATE ISSUED - DATE _____

ISSUED BY: _____ AT _____ CITY _____ STATE _____

NATURALIZATION CERTIFICATE - NO. _____ WHEN AND WHERE ISSUED? _____

NAME USED ENTERING UNITED STATES _____

NAME OF SHIP _____ PORT OF ENTRY _____

IF BORN BEFORE 1900, YOUR PLACE OF RESIDENCE 1914 TO 1918 (INCLUSIVE) _____

FAMILY

WIFE'S MAIDEN NAME Julia Ruthoff WIFE'S BIRTHPLACE Long Branch, N.J.NUMBER OF CHILDREN: DEPENDENT 2 NON-DEPENDENT _____ OTHER DEPENDENTS _____

	BIRTHPLACE	NAMES	ADDRESSES
MOTHER	<u>Poland</u>	<u>Sarah Kotelchuck</u>	<u>4544 Old Pimlico Rd</u>
FATHER	<u>Poland</u>	<u>David Kotelchuck</u>	<u>deceased</u>

MILITARY SERVICE none

BRANCH _____ SERIAL NO. _____ DOMESTIC OR FOREIGN? _____

PLACE ENLISTED _____ DATE _____ DATE DISCHARGED _____
DRAFTED _____

PLACE OF EXPIRATION _____ TYPE OF DISCHARGE _____

(Continued on Reverse Side)

COMMUNIST ACTIVITIES IN THE BALTIMORE, MD., AREA 1021

QUALIFICATIONS

TYPE OF WORK WANTED operator REFERRAL CARD
STATE EMP. AGENCY?

WERE YOU EVER EMPLOYED HERE? no DEPT. DATES: FROM TO

REASON FOR LEAVING HERE

NAMES OF FRIENDS EMPLOYED HERE

NAMES OF RELATIVES EMPLOYED HERE

NAMES OF NEIGHBORS EMPLOYED HERE

PREVIOUS EMPLOYMENT (NAME LAST EMPLOYER FIRST)

DATE		EMPLOYER (COMPANY & LOCATION)	TYPE OF WORK	REASON FOR LEAVING
FROM	TO			
Jan 51	Feb 53	Roberts Sewing Co	general helper	laid off
Feb 49	Dec 50	B. Walpert Dept Co 3827 Philadelphia	electrical	seasonal
May 47	Jan 49	Brite Tite Marble Co	helper	laid off

SCHOOLS ATTENDED	ADDRESSES	GRADES COMPLETED		COURSES
		NO.	YEAR	
PS #1	Hahshen, MI	8	yes	
Demonstr H. S.	"	4	yes	general

REFERENCES (No Relation)

NAMES	ADDRESSES	OCCUPATIONS
D. Roberts	3800 Garrison Ave Baltimore	operator
M. Perry	3621 Springdale Ave	advertising
Wm. J. J. J.	918 Friedrich Ave Catonsville Md	Electrical

IT IS UNDERSTOOD AND AGREED THAT ANY MISREPRESENTATION BY ME IN THIS APPLICATION WILL BE SUFFICIENT CAUSE FOR CANCELLATION OF THE APPLICATION AND/OR SEPARATION FROM THE COMPANY'S SERVICE IF I HAVE BEEN EMPLOYED.

DATE Mar 10, 1953 SIGNATURE C. K. K. K.

DO NOT WRITE BELOW THIS LINE — FOR COMPANY USE ONLY

HEIGHT _____ WEIGHT _____ HAIR _____ EYES _____ COMPLEXION _____
APPEARANCE — FIT _____ FAIR _____ POOR _____ QUICK _____ NORMAL _____ SLOW _____

Mr. ARENS. Was your employment with this particular company suggested to you by any person known by you to be a member of the Communist Party?

Mr. KOTELCHUCK. It was suggested to me by the fact that I was unemployed and needed a job.

Mr. ARENS. Kindly answer the question. Was it suggested by any person known by you to be a member of the Communist Party?

Mr. KOTELCHUCK. Of course not.

Mr. ARENS. Do you know what the term "colonization" means in any parlance that is familiar in any experience you have had in your life?

Mr. KOTELCHUCK. Certainly. Colonize backward areas of the population.

Mr. ARENS. Now that you have given us that bit of information from your experience, tell us in what other context the word "colonization" is used on the basis of your experience and background.

Mr. KOTELCHUCK. I don't know what you are referring to.

Mr. ARENS. You know what a colonizer for the Communist Party in a basic industry is, do you not? Do you know what a colonizer is for the Communist Party?

Mr. KOTELCHUCK. I refuse to answer that question on the grounds previously stated.

Mr. ARENS. Were you a colonizer on behalf of the Communist Party when you went into this basic industry and when you failed to disclose your prior record, either your educational attainments or your employment record?

Mr. KOTELCHUCK. I am sure I don't know exactly what you mean, but I think, if you will let me, I told you that I needed a job; I went in and took a job where I needed it when I needed it.

Mr. ARENS. Let us have the record absolutely clear on this. Were you a colonizer on behalf of the Communist Party in basic industry?

Mr. KOTELCHUCK. I don't know what you mean and you will have to tell me what a colonizer is.

Mr. ARENS. You know what a colonizer on behalf of the Communist Party is: one who penetrates a basic industry for the purpose of weaving a web of Communist conspiracy among others.

Mr. KOTELCHUCK. Is that your definition?

Mr. ARENS. That is good enough for the moment.

Mr. KOTELCHUCK. In that case the answer is "No."

Mr. ARENS. Were you a Communist at the time you signed this application which I have just displayed to you for employment at the American Chain & Cable Co.?

Mr. KOTELCHUCK. I refuse to answer that question on the grounds previously stated.

Mr. ARENS. Mr. Chairman, I respectfully suggest that this document which I have displayed to the witness, be appropriately marked and incorporated in the record.

Mr. WILLIS. It is so ordered.

(See pp. 1020 and 1021.)

Mr. ARENS. Do you know a person by the name of George Meyers?

Mr. KOTELCHUCK. I refuse to answer that question on the grounds previously stated.

Mr. ARENS. Are you this moment a Communist?

Mr. KOTELCHUCK. I refuse to answer that question on the grounds stated.

Mr. ARENS. Do you know a person by the name of Charles M. Craig?

Mr. KOTELCHUCK. I refuse to answer that question on the grounds previously stated.

Mr. ARENS. Mr. Chairman, I respectfully suggest that in the presence of this witness, so there can be no question of a faceless informer, Charles Craig kindly be summoned to come forward and be administered an oath.

Mr. Craig, will you kindly come forward?

Mr. WILLIS. Please raise your right hand.

Do you solemnly swear that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. CRAIG. I do.

TESTIMONY OF CHARLES M. CRAIG, Sr.

Mr. ARENS. Mr. Craig, I expect in a few moments to interrogate you at length. For the present purpose may I ask, have you ever been a member of the Communist Party?

Mr. CRAIG. Yes, I have.

Mr. ARENS. During what period of time were you a member of the Communist Party?

Mr. CRAIG. From the year 1943 to 1951.

Mr. ARENS. During all that period of time were you in sympathy with the Communist Party, or were you an undercover agent at the request of the Federal Bureau of Investigation?

Mr. CRAIG. I went in for the Federal Bureau of Investigation.

Mr. ARENS. As I said, I expect to interrogate you at length later.

During the course of your experience in the Communist Party as an undercover agent, did you know a person by the name of Abraham Kotelchuck?

Mr. CRAIG. Yes, I knew him.

Mr. ARENS. Did you know that person as a Communist?

Mr. CRAIG. He was a Communist.

Mr. ARENS. Do you here and now testify under oath that you knew Abraham Kotelchuck to a certainty to be a member of the Communist Party?

Mr. CRAIG. I did.

Mr. ARENS. Do you see that person you knew to a certainty to be a member of the Communist Party in the courtroom today?

Mr. CRAIG. Yes.

Mr. ARENS. Will you kindly point him out to the committee?

Mr. CRAIG. Yes [indicating].

TESTIMONY OF ABRAHAM KOTELCHUCK—Resumed

Mr. ARENS. Mr. Kotelchuck, you have just heard the testimony of this man under oath. We would like to afford you an opportunity while you are under oath to deny it. Would you care to avail yourself of that opportunity?

(The witness conferred with his counsel.)

Mr. KOTELCHUCK. I refuse to answer that question on the grounds previously stated.

Mr. ARENS. Mr. Chairman, I respectfully suggest that we conclude the staff interrogation of Mr. Kotelchuck. If there are no questions by the committee, I respectfully suggest that Mr. Craig assume the principal witness chair.

Mr. WILLIS. The Witness Kotelchuck is excused. The next witness has been previously sworn.

May I suggest a 5-minute recess.

(A short recess was taken.)

Mr. WILLIS. The subcommittee will come to order. Counsel will please proceed.

TESTIMONY OF CHARLES M. CRAIG, Sr.—Resumed

Mr. ARENS. Mr. Craig, it would perhaps be well to clear our record and again cover the brief questions and answers that we had a few moments ago.

Have you ever been a member of the Communist Party?

Mr. CRAIG. Yes.

Mr. ARENS. Give us, please, the period of your membership in the Communist Party.

Mr. CRAIG. In the year 1943 to the year 1951.

Mr. ARENS. And at whose request?

Mr. CRAIG. The Federal Bureau of Investigation.

Mr. ARENS. Have you at any time in your life been sympathetic with the ideology, program, or purpose of the Communist Party?

Mr. CRAIG. No, sir.

Mr. ARENS. You have at all times during your membership been serving your Government?

Mr. CRAIG. That is right.

Mr. ARENS. By piping information to intelligence agencies; is that correct?

Mr. CRAIG. That is right.

Mr. ARENS. Kindly tell us in your own case the circumstances of your membership, where you joined the Communist Party, and your career in the Communist Party.

Mr. CRAIG. I joined the Communist Party at the Fred Douglass Club.

Mr. ARENS. Was that in Baltimore?

Mr. CRAIG. In Baltimore.

Mr. ARENS. How long were you a member of the Fred Douglass Club?

Mr. CRAIG. About 2 years, from 1943 to 1945.

Mr. ARENS. How many members were there in the Fred Douglass Club of the Communist Party?

Mr. CRAIG. There were about 30 members in the club, but it was a bookshop and community center so a good many of the other members would come there at the time.

Mr. ARENS. Who actually recruited you into the Communist Party?

Mr. CRAIG. Rose Lambert.

Mr. ARENS. L-a-m-b-e-r-t?

Mr. CRAIG. Yes.

Mr. ARENS. Can you recall the identity of other persons who to a certainty were members of the Fred Douglass Club of the Communist Party?

Mr. CRAIG. At the Fred Douglass Club there were several of them, but I could not recall them all.

Cinch O'Hara.

Mr. ARENS. C-i-n-c-h?

Mr. CRAIG. It is either C or S. The last name is O'Hara.

Mr. ARENS. Was that his party name or regular name?

Mr. CRAIG. That was the name I knew him by.

Mr. ARENS. Is there another person who, to your certain knowledge, was a member of the Fred Douglass Club?

Mr. CRAIG. Yes. There was Pete Forrest.

Mr. ARENS. I assume you spell Forrest—F-o-r-r-e-s-t?

Mr. CRAIG. That is correct.

Mr. ARENS. Mr. Craig, for the purpose of identification, could you tell us, were Mr. Cinch O'Hara and Pete Forrest colored or white?

Mr. CRAIG. Cinch O'Hara was white. Pete Forrest was colored.

Mr. ARENS. Do you have another name that comes to your mind?

Mr. CRAIG. Yes. There were several others, but I can't recall all.

Mr. ARENS. Was Mildred Collidge a member of the Fred Douglass Club?

Mr. CRAIG. She was a member.

Mr. ARENS. Was Dorothy Blumberg, B-l-u-m-b-e-r-g, a member?

Mr. CRAIG. She was from the central office, but she came to the Fred Douglass Club.

Mr. ARENS. Have you served in closed party meetings with her?

Mr. CRAIG. Yes.

Mr. ARENS. To your knowledge do you identify her as a Communist?

Mr. CRAIG. Definitely.

Mr. ARENS. Was Jeanette Kaplan?

Mr. CRAIG. Jeanette Kaplan; yes.

Mr. ARENS. Was Jeanette Fino a member of the club?

Mr. CRAIG. She was not a member of that club, but she came from another club.

Mr. ARENS. Did you meet with her in closed Communist Party sessions?

Mr. CRAIG. Yes, sir.

Mr. ARENS. Did you know her as a Communist?

Mr. CRAIG. Yes, sir.

Mr. ARENS. Are there any other names that come to your mind at the present time?

Mr. CRAIG. Not in that club.

Mr. ARENS. What was your post or office, if any, in the Fred Douglass Club?

Mr. CRAIG. I was financial secretary for the Fred Douglass Club.

Mr. ARENS. Did you collect dues from the club members?

Mr. CRAIG. Yes.

Mr. ARENS. What type of cell or unit was that club?

Mr. CRAIG. Neighborhood club.

Mr. ARENS. What do you mean?

Mr. CRAIG. It only had those in the neighborhood groups.

Mr. ARENS. During this period of time did the party have groups other than neighborhood groups?

Mr. CRAIG. Yes, they had industrial groups, youth groups.

Mr. ARENS. We are back in the 1943 period at the present time, are we not?

Mr. CRAIG. 1943 to 1945.

Mr. ARENS. In the industrial groups of the Communist Party, did the type of employment in which the individual was engaged determine the group to which he would be assigned by the Communist conspiracy?

Mr. CRAIG. Generally it did.

Mr. ARENS. Incidentally, before I forget it, we had testimony from our very first witness, Clifford Miller, who testified he had been in the Communist Party for a number of years, at the behest of intelligence agencies, operating ostensibly in various activities in the conspiracy here in the Baltimore area. Did you in your operations in the Communist Party come in contact with Miller?

Mr. CRAIG. I don't recall Miller. He evidently must have been in an industrial group. I don't recall him.

Mr. ARENS. Was the fact that you and he were both operating in the same conspiracy here and didn't know each other due to the cutout system or security measures of the Communist Party?

Mr. CRAIG. They generally kept industrial ones away from party meetings.

Mr. ARENS. They are isolated in their own activities from the other tentacles of the conspiracy within the operation; is that correct?

Mr. CRAIG. That is correct.

Mr. ARENS. Were you subsequently assigned to another club of the Communist Party?

Mr. CRAIG. Yes, I was transferred to the Dundalk Club.

Mr. ARENS. D-u-n-d-a-l-k; is that correct?

Mr. CRAIG. Yes.

Mr. ARENS. When was that?

Mr. CRAIG. That was in the early part of 1945.

Mr. ARENS. How long were you a member of this particular group?

Mr. CRAIG. I was there 2 years.

Mr. ARENS. Was this also a neighborhood group?

Mr. CRAIG. This was a neighborhood group.

Mr. ARENS. How many persons were assigned or active in that particular club?

Mr. CRAIG. It was about 20.

Mr. ARENS. This is the period 1945 to 1947?

Mr. CRAIG. Yes.

Mr. ARENS. Did the membership change from time to time—a person would be added and a person taken away—or was it fairly stable?

Mr. CRAIG. Fairly stable.

Mr. ARENS. Do you recall any of the individuals who to your certain knowledge were members of this Dundalk Club?

Mr. CRAIG. Those members in there with me were, when we first started: Joe Henderson started this club. Milt Newman and John Goodell, Edna Goodell.

Mr. ARENS. Let me be sure the record reflects clearly the spelling of these names. Is John Goodell's last name G-o-o-d-e-l-l?

Mr. CRAIG. I think that is right.

Mr. ARENS. Is Milton Newman spelled N-e-w-m-a-n?

Mr. CRAIG. Yes.

Mr. ARENS. Henderson is H-e-n-d-e-r-s-o-n?

Mr. CRAIG. Yes.

Mr. ARENS. Was there any other person you presently recall who was a member of that club? How about Levy Williamson?

Mr. CRAIG. He was a member.

Mr. ARENS. Were you subsequently assigned to another group within the Communist Party?

Mr. CRAIG. Yes, sir.

Mr. ARENS. And when was that?

Mr. CRAIG. That was about 1947, right after I left the other group.

Mr. ARENS. What was the name of that particular club?

Mr. CRAIG. Tom Paine Club.

Mr. ARENS. P-a-i-n-e?

Mr. CRAIG. That is right.

Mr. ARENS. Was this also a neighborhood group?

Mr. CRAIG. Yes, sir.

Mr. ARENS. Did you have any office or post of responsibility in this particular club?

Mr. CRAIG. I was literary director in that.

Mr. ARENS. What were your functions or responsibilities as literary director?

Mr. CRAIG. Selling literature.

Mr. ARENS. How many people to your certain knowledge were members of this Tom Paine Club?

Mr. CRAIG. They had 20 members there, but they used to have members that didn't always come to meetings and I didn't know all of them.

Mr. ARENS. Who, to your certain knowledge, was a member of the Tom Paine Club?

Mr. CRAIG. At that time Dorothy Blumberg was a member and Elsie Winter.

Mr. ARENS. Is that B-l-u-m-b-e-r-g?

Mr. CRAIG. That is correct.

Mr. ARENS. Are there any others?

Mr. CRAIG. Elsie Winter.

Mr. ARENS. E-l-s-i-e W-i-n-t-e-r?

Mr. CRAIG. Yes, Regina Frankfeld.

Mr. ARENS. You will have to speak up.

Mr. CRAIG. Regina Frankfeld.

Mr. ARENS. F-r-a-n-k-f-e-l-d?

Mr. CRAIG. That is right.

Mr. ARENS. Any others?

Mr. CRAIG. Vivian Barad.

Mr. ARENS. Vivian Barad, B-a-r-a-d?

Mr. CRAIG. That is correct.

Mr. ARENS. Any others?

Mr. CRAIG. So many I can't—

Mr. ARENS. What about Sam Swogell, S-w-o-g-e-l-l?

Mr. CRAIG. Yes.

Mr. ARENS. How about Mary Roberts?

Mr. CRAIG. Mary Roberts was a member of that cell.

Mr. ARENS. How long did you remain a member of the Tom Paine Club?

Mr. CRAIG. Until 1949.

Mr. ARENS. What happened then?

Mr. CRAIG. In 1949 we went into smaller groups for security reasons.

Mr. ARENS. That was for security reasons within the Communist Party?

Mr. CRAIG. That is right.

Mr. ARENS. Was that in anticipation of the passage by the Congress of the Internal Security Act of 1950 and other anti-Communist legislative endeavors?

Mr. CRAIG. At that time the trial was pending in New York, and the Ober law in Maryland.

Mr. ARENS. How many were in the group to which you were then assigned?

Mr. CRAIG. About six.

Mr. ARENS. Then the personnel, the aggregate or maximum personnel of the cells apparently—check me on this if I misconstrue your testimony—was reduced from 20 to 30 down to about 6 within each unit; is that correct?

Mr. CRAIG. That is correct.

Mr. WILLIS. That was in 1949?

Mr. CRAIG. 1949.

Mr. WILLIS. The Internal Security Act was under discussion by the Congress at that time, was it not?

Mr. CRAIG. That is correct.

Mr. WILLIS. How did the members of the Communist Party groups feel about that act we were about to pass in Congress?

Mr. CRAIG. I can't hear you.

Mr. WILLIS. How did the members of those groups feel about that law which we were about to pass in Congress, a law sponsored by this committee, and I wrote the report on it. How did the boys in the Communist Party feel about what Congress was about to do?

Mr. CRAIG. They criticized it.

Mr. WILLIS. To what extent did they criticize it?

Mr. CRAIG. So much that they were required to go into small units.

Mr. WILLIS. So they started to break up from big groups into smaller groups?

Mr. CRAIG. That is right.

Mr. WILLIS. When you first went into this conspiracy as an agent of the Federal Bureau of Investigation, did they have a card system then?

Mr. CRAIG. They did at one time.

Mr. WILLIS. There are no more cards now?

Mr. CRAIG. No; the card system was changed a year before that.

Mr. WILLIS. They started to tighten up their own security for their

own:—

Mr. CRAIG. Personal reasons.

Mr. WILLIS. For their own protection against detection by the Government.

Mr. CRAIG. That is right.

Mr. WILLIS. Proceed.

Mr. ARENS. Did the Communist Party about that time eject from the party the intellectual groups and the softies who were not hard-

core? Was that part of the security program of the Communist Party?

Mr. CRAIG. Well, I don't recall that.

Mr. ARENS. Now, you started to tell us about this next group to which you were assigned, the smaller group in 1949. Do you recall presently the names of other persons who were in that group?

Mr. CRAIG. Well, in that group, Dorothy Blumberg went over with us, and Belva Dean.

Mr. ARENS. Is that B-e-l-v-a D-e-a-n?

Mr. CRAIG. I think that is right.

And Dorothy—

Mr. ARENS. Is that Dorothy Ostrofsky?

Mr. CRAIG. Yes.

Mr. ARENS. O-s-t-r-o-f-s-k-y?

Mr. CRAIG. Something like that.

Mr. ARENS. All right. How about Ann Zucker? Was she there?

Mr. CRAIG. She was there, but she didn't attend meetings after we transferred.

Mr. ARENS. Did you say Ann Zucker? Z-u-c-k-e-r?

Mr. CRAIG. She very seldom attended meetings in the new setup.

Mr. ARENS. How about Nettie Kandel?

Mr. CRAIG. She came occasionally to that meeting, too.

Mr. ARENS. K-a-n-d-e-l, Nettie, N-e-t-t-i-e?

Mr. CRAIG. Yes.

Mr. ARENS. Are there any other persons whose names come to your memory who to your certain knowledge were members of the cell?

Mr. CRAIG. No. After the 6 were sent to the cell, very seldom there was any more than 3 or 4 that was there.

Mr. ARENS. The cell in turn was broken down into smaller units?

Mr. CRAIG. Yes.

Mr. ARENS. With whom did you meet in the subsidiary units of the smaller units?

Mr. CRAIG. They put me into the unit with three.

Mr. ARENS. Who was in that unit?

Mr. CRAIG. That unit was with Herbert Hall and his wife and I, but they were putting me through the squeeze.

Mr. ARENS. Do you recall Herbert's wife's name?

Mr. CRAIG. Laddie Hall. Then they were putting me through the squeeze then. They had come to feel as though I was an informer.

Mr. ARENS. They began to realize you were not quite ideologically in sympathy with the operation as they had originally anticipated; is that correct?

Mr. CRAIG. That is correct.

Mr. ARENS. During this period of your membership, did you attend any Communist Party meetings outside of your regular club or unit to which you were attached?

Mr. CRAIG. Yes. We attended all of the citywide meetings and the general Communist meetings.

Mr. ARENS. Were some of these general meetings closed meetings?

Mr. CRAIG. Most all of them Communist meetings were generally closed meetings with the Communists.

Mr. ARENS. Where were these meetings held?

Mr. CRAIG. North Avenue, Finnish Hall, Greek Center, and in Fred Douglass we had a public hall there.

Mr. ARENS. Do you recall the names of some of the people who met with you in the larger assemblages of the Communist Party who to your certain knowledge were members of the Communist Party?

Mr. CRAIG. There were numerous ones in the general Communist Party.

Mr. ARENS. Would you then name for our record those who, to a certainty to your knowledge, served with you in closed Communist Party meetings to which only comrades were admitted?

As you do so, if you please, give us a word of identifying information or characterization of the individual.

Mr. CRAIG. What position they held, you mean?

Mr. ARENS. Any information that would come to your mind as of the present time. I realize it has been over the course of some several years.

Mr. CRAIG. Well, in the larger group we had Jeanette Fino.

Mr. ARENS. Let us take it so that I can be sure——

Mr. CRAIG. Jeanette Fino was in the larger group.

Al and Willie Blank.

Mr. ARENS. Al Blank?

Mr. CRAIG. Yes.

Mr. ARENS. I think the record should reflect, Mr. Chairman, that we have been searching for Mr. Blank for many weeks to serve a subpoena on him, and we have been unable to locate him. He seems to be attracted to some other geographical location of the country.

Mr. WILLIS. I would not be surprised if we catch up with him some day.

Mr. ARENS. We are going to try to. How about Phil Gran?

Mr. CRAIG. Yes.

Mr. ARENS. G-r-a-n?

Mr. CRAIG. Yes. I knew him as a party member.

Mr. ARENS. And the man that preceded you to the witness stand, Abe Kotelchuck?

Mr. CRAIG. I knew him from the open meetings, is where I met them.

Mr. ARENS. But those were closed meetings of the party, were they not?

Mr. CRAIG. Closed meetings of the party.

Mr. ARENS. Who is George Meyers?

Mr. CRAIG. He was one that served under the Smith Act.

Mr. ARENS. Did you know him?

Mr. CRAIG. Yes.

Mr. ARENS. As a Communist?

Mr. CRAIG. Yes, sir.

Mr. ARENS. How about William Wood?

Mr. CRAIG. William Wood, too. He was one of them.

Mr. ARENS. As you identify these people, if there is particular significant information that comes to your mind as to either their appearance, particular assignment, or activity, just interrupt and be sure to inject it in the record.

Irving Spector?

Mr. CRAIG. Irving Spector, yes.

Mr. ARENS. You knew him as a Communist?

Mr. CRAIG. Yes.

Mr. ARENS. Milton and Claire Newman?

Mr. CRAIG. Yes, sir.

Mr. ARENS. They were in your cell, were they not?

Mr. CRAIG. Yes, sir.

Mr. ARENS. How about Marcella Avnet, A-v-n-e-t?

Mr. CRAIG. She attended several meetings.

Mr. ARENS. Did you know her as a Communist?

Mr. CRAIG. Yes, sir; by attending those meetings.

Mr. ARENS. John Henderson?

Mr. CRAIG. Yes.

Mr. ARENS. Otto Yerrell?

Mr. CRAIG. He was one, but he attended the big meetings, but I didn't know what club he belonged to.

Mr. ARENS. Those big meetings were closed Communist meetings?

Mr. CRAIG. That is right.

Mr. ARENS. In which admission was available only to persons vouched for as comrades; is that correct?

Mr. CRAIG. That is right.

Mr. ARENS. How about Hannah Freishtat, F-r-e-i-s-h-t-a-t?

Mr. CRAIG. I know Hannah Freishtat.

Mr. ARENS. Was she a Communist?

Mr. CRAIG. She was a Communist.

Mr. ARENS. How about Jeanette Braverman, B-r-a-v-e-r-m-a-n?

Mr. CRAIG. She was one.

Mr. ARENS. How about Jack Freishtat?

Mr. CRAIG. Jack Freishtat, Hannah's husband, was one.

Mr. ARENS. Do any other names come to your mind?

Mr. CRAIG. Not right off.

Mr. ARENS. How about Ruth Fox?

Mr. CRAIG. Yes.

Mr. ARENS. Was she a member of the Communist Party?

Mr. CRAIG. Yes.

Mr. ARENS. Are you certain of that?

Mr. CRAIG. I am positive.

Mr. ARENS. Benjamin Fino?

Mr. CRAIG. Benjamin Fino.

Mr. ARENS. During the time you were a member of the Communist Party, did you attend any educational classes?

Mr. CRAIG. Yes, sir.

Mr. ARENS. Do you recall studying the history of the Communist Party and Communist literature?

Mr. CRAIG. Yes, sir.

Mr. ARENS. Where did you attend these educational classes?

Mr. CRAIG. They were held in two or three places. One was on Madison Avenue here in Baltimore. One was on Pennsylvania Avenue.

Mr. ARENS. Tell us just a word of description of these classes. What was taught there, who did the teaching?

Mr. CRAIG. They taught the role of the Communist Party in the Soviet Union and the Communist Manifesto.

Mr. ARENS. Were you taught the techniques of infiltration?

Mr. CRAIG. Of infiltration. Then those who taught, there were three or four, but I just know of two, Dorothy Blumberg and Phil Frankfeld. There were others, but I can't recall them now.

Mr. ARENS. Did Milton Bates teach?

Mr. CRAIG. He never taught me.

Mr. ARENS. Did you know him as a Communist?

Mr. CRAIG. Yes.

Mr. ARENS. Did Milton Seif teach?

Mr. CRAIG. I remember reporting his name as being present at the meeting, but I can't picture him now.

Mr. ARENS. Did you report it a certainty he was a Communist?

Mr. CRAIG. That is right. At the time I reported, I had his name for the record.

Mr. ARENS. Did the Communist Party in its classes teach techniques of how to influence public opinion on issues vital to the party, by giving the comrades at nerve centers——

Mr. CRAIG. Say that again.

Mr. ARENS. Did the Communist Party teach to the comrades techniques of what we call political subversion?

Mr. CRAIG. Well, they taught their techniques.

Mr. ARENS. That is what I mean.

Mr. CRAIG. That is right.

Mr. ARENS. What did they teach about that? Did they teach about the operation of front groups?

Mr. CRAIG. Front groups, that is right.

Mr. ARENS. Did they teach about the operation of letterwriting, telegrams, phone calls to representatives of the Government in order to get the Communist Party program across?

Mr. CRAIG. As a political act, yes.

Mr. ARENS. Did they teach how comrades were supposed to react if they were called before a congressional committee such as this committee?

Mr. CRAIG. Well, at that time they weren't contemplating being called before a congressional committee.

Mr. ARENS. During the course of your study of Communist Party techniques and Communist Party literature, did you reach any conclusions in your mind with respect to whether or not the Communist Party is a bona fide political party or whether it is a conspiratorial operation?

Mr. CRAIG. More of a revolutionary operation.

Mr. ARENS. Does it stand for the overthrow of the Government by force and violence?

Mr. CRAIG. I was never taught force and violence.

Mr. ARENS. Is it connected with Moscow?

Mr. CRAIG. They follow the rules of the CP in the Soviet Union.

Mr. ARENS. Who is the patron saint of the Communist Party? Who is the ideological master of the Communist Party?

Mr. CRAIG. At present?

Mr. ARENS. At any time.

Mr. CRAIG. It used to be Stalin.

Mr. ARENS. Who is the theoretician of the Communist Party?

Mr. CRAIG. Marx.

Mr. ARENS. Did you attend the 1944 Communist Party Convention?

Mr. CRAIG. Yes, sir.

Mr. ARENS. Where was that held?

Mr. CRAIG. In 1944 it was held at the Greek Center. I think that was the Greek Center in 1944.

Mr. ARENS. That was the State convention?

Mr. CRAIG. The State convention.

Mr. ARENS. In what capacity did you attend?

Mr. CRAIG. I was a delegate to that.

Mr. ARENS. Who were the leaders at this particular convention?

Mr. CRAIG. Al Landman was the chairman at that time.

Mr. ARENS. Can you give us a word of description or identification of him?

Mr. CRAIG. Well, he was a small man.

Mr. ARENS. He was the chairman of the convention?

Mr. CRAIG. He was the chairman of the convention.

Mr. ARENS. Do you recall any of the other principal leaders of the Communist convention?

Mr. CRAIG. They were numerous at that time. I can't remember them all.

Mr. ARENS. Did you ever attend any meetings in Washington, the Nation's capital?

Mr. CRAIG. The last meeting I attended was in Washington, D. C.

Mr. ARENS. When was that?

Mr. CRAIG. That was in 1950, I think it was.

Mr. ARENS. Do you recall who the leaders were at that particular session?

Mr. CRAIG. That was chaired by Roy Wood.

Mr. ARENS. I should like to ask you a question here—it might appear to be a little delicate, but I am sure you understand.

Mr. CRAIG, we read in the Communist Party literature that the Communist Party is the great champion of the Negro race, that it is the spearhead of the rights and privileges and better living for the Negroes. Did you as a member of the Negro race find this to be true while you were a member of the Communist Party?

Mr. CRAIG. I feel as though their fights and their struggles were for their own purpose. I don't see where the Negro has gained anything by being members in it. They were losing jobs constantly from being members.

Mr. ARENS. Do you feel that the Communist Party has a sincere and genuine interest in the problems of the Negro race, or that it is undertaking to use the difficulties of the Negro race for the purpose of wooing people within the orbit of their influence, all for the avowed purpose of accomplishing their overall objective of world control?

Mr. CRAIG. I would say yes, I do; except the world control. I will leave that out.

Mr. ARENS. We have asked you a number of questions here on considerable items of information. Is there any other item of information which you would like to tell us about, the basis of your background or experience, anything which you feel we have omitted from this record today?

Mr. CRAIG. I would say that I thought I was doing a loyal job for the country when I took the job of reporting the activities and the names of those who belonged.

Mr. ARENS. You have never testified before a congressional committee before, have you?

Mr. CRAIG. No, sir; just on the Smith Act trial.

Mr. ARENS. Mr. Chairman, I respectfully suggest that will conclude the staff interrogation of this witness.

Mr. WILLIS. Do you spell your name C-r-a-i-g?

Mr. CRAIG. Yes.

Mr. WILLIS. How old are you?

Mr. CRAIG. Fifty-six.

Mr. WILLIS. You became a member of the Communist Party at the request of the Federal Bureau of Investigation?

Mr. CRAIG. Yes.

Mr. WILLIS. Back in 1943 until 1951?

Mr. CRAIG. That is correct.

Mr. WILLIS. Did you report regularly to the Federal Bureau of Investigation?

Mr. CRAIG. Yes, sir.

Mr. WILLIS. The usual pattern for an undercover agent such as you were is to make very frequent reports while things are fresh on your mind; is that not correct?

Mr. CRAIG. That is right; I did. I had to turn them in the next morning.

Mr. WILLIS. I do not know whether you know it, Mr. Craig, but if the Federal Bureau of Investigation did to you what they do in connection with everyone else who renders the service you did, you were investigated yourself. They investigate you, they know who they want and they know what kind of American citizen they will use for the purposes for which you gave your services. And they are very careful.

I think it is the finest organization under the globe.

Now, from experience, the chances are, because you appeared here, that members of this conspiracy will try to call you stool pigeon and a rat. They call us that, and worse. Do not let that worry you at all. I think you have done a grand job for your Government.

Mr. CRAIG. Thank you.

Mr. WILLIS. You are a very fine American citizen. On behalf of this committee I give you the thanks of us, and I think for the whole Congress.

Mr. CRAIG. Thank you, Mr. Chairman.

Mr. ARENS. Mr. Milton Seif, will you kindly come forward.

Mr. WILLIS. Please raise your right hand.

Do you solemnly swear that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. SEIF. I do.

Mr. ROMBRO. Mr. Chairman, Mr. Seif has requested that he not be televised when he gives his testimony.

TESTIMONY OF MILTON SEIF, ACCOMPANIED BY COUNSEL, RICHARD H. ROMBRO

Mr. ARENS. Kindly identify yourself by name, residence, and occupation.

Mr. SEIF. Milton Seif, 4012 Duvall Avenue, an electrical welder.

Mr. ARENS. Where are you employed?

Mr. SEIF. Bethlehem Steel Co.

Mr. ARENS. You are appearing today, Mr. Seif, in response to a subpoena which was served upon you by the House Committee on Un-American Activities?

Mr. SEIF. Yes.

Mr. ARENS. And you are represented by counsel?

Mr. SEIF. Yes.

Mr. ARENS. Counsel, will you kindly identify yourself on the record?

Mr. ROMBRO. Richard Rombro, of Baltimore.

Mr. ARENS. Mr. Seif, in July 1951, you were interrogated by this Committee on Un-American Activities; were you not?

Mr. SEIF. That is right.

Mr. ARENS. At that time, you were confronted with the testimony of a witness who had testified under oath before this committee and who had identified you as a person known by her to be a member of the Communist Party; is that correct?

Mr. SEIF. To the best of my recollection, it is.

Mr. ARENS. At the time of that particular hearing, you asserted your privilege under the provisions of the fifth amendment not to respond to the question as to whether or not you were then, or had ever been, a member of the Communist Party; is that correct?

Mr. SEIF. That is correct.

Mr. ARENS. Now, Mr. Seif, thereafter, last year, in March of 1956, did you have a hearing before a general executive board of the Industrial Union of Marine and Shipbuilding Workers of America?

Mr. SEIF. I refuse to answer any questions involving my activities in the union.

Mr. ARENS. Mr. Chairman, I respectfully suggest now that this record reflect an order and direction to the witness to answer the question.

Mr. WILLIS. You are so directed.

Mr. SEIF. Because of the position taken by the chairman of this committee I have no other alternative but to invoke the fifth amendment, in view of the statement that he has made.

Mr. ARENS. Mr. Chairman, so this record is absolutely clear, I respectfully suggest again that the witness now be ordered and directed to answer the outstanding principal question.

Mr. WILLIS. You are directed to answer that question. There is nothing in the question that involves your constitutional rights, you have counsel, and I will direct you to answer the question.

(The witness conferred with his counsel.)

Mr. SEIF. I presume you are referring to the hearing in which I have appealed the case.

Mr. ARENS. I am alluding to the hearing afforded you on March 22, 1956, by a general executive board for the Industrial Union of Marine and Shipbuilding Workers of America. Did you have such a hearing on or about the date I have indicated?

(The witness conferred with his counsel.)

Mr. SEIF. In view of the direction of the chairman of the committee, I will answer affirmatively to that question.

Mr. ARENS. You did have such a hearing; is that correct?

Mr. SEIF. Yes.

Mr. ARENS. During the course of that hearing was an oath administered to you?

(The witness conferred with his counsel.)

Mr. SEIF. I don't recall any.

Mr. ARENS. During the course of that hearing, was allusion made by your interrogator to the fact that you had been identified by a witness, under oath, before this committee as a member of the Communist Party?

Mr. SEIF. I don't recall the question.

Mr. ARENS. Were you asked in the course of that hearing whether or not you are a member, or were a member, of the Communist Party?

Mr. SEIF. I don't recall that specifically—

Mr. ARENS. Let me read you, then, a transcript of a portion of the hearing and see if that refreshes your recollection:

Question: You mean you are not a member of the Communist Party now?

Answer by Milton Seif: No, I am not or never was.

Is that the question and answer which transpired at the hearing which you have told us you had before the general executive board of the Industrial Union of Marine and Shipbuilding Workers of America on March 22, 1956?

(The witness conferred with his counsel.)

Mr. SEIF. Mr. Director, do you claim this was in the transcript?

Mr. ARENS. The outstanding question is: Is the question which I read you and the answer which I read you substantially correct, as having transpired in that proceeding of March 22, 1956?

(Excerpts of hearing marked "Seif Exhibit No. 1" and retained in committee files.)

Mr. SEIF. They might be. I don't recall them.

Mr. ARENS. Did you, before that board in 1956, deny that you had ever been a member of the Communist Party?

(The witness conferred with his counsel.)

Mr. ARENS. Will you kindly answer the question?

Mr. SEIF. I want to invoke the fifth amendment.

Mr. ARENS. You knew, as of the time that you had this hearing before this general executive board for the Industrial Union of Marine and Shipbuilding Workers of America, that they did not have power to cite you for contempt or to cite you for perjury, did you not?

Mr. SEIF. No, I didn't.

Mr. ARENS. Did you tell them the truth when you were interrogated as to whether or not you were then, or had been, a member of the Communist Party?

Mr. SEIF. I am advised to plead the fifth amendment.

Mr. ARENS. Were you as of the time that you were interrogated by this general executive board for the Industrial Union of Marine and Shipbuilding Workers of America, on March 22, 1956, a member of the Communist Party?

Mr. SEIF. I plead the fifth.

Mr. ARENS. Are you now a Communist?

Mr. SEIF. I plead the fifth.

Mr. ARENS. I should like to invite your attention, if you please, to another situation.

After the hearing before this committee, which hearing was held in July 1951, did you have a problem come up in your career with respect to whether or not you should be granted security clearance in your employment—

Mr. SEIF. After when?

Mr. ARENS. After you had appeared before this committee and were identified as a member of the Communist Party, did you have a problem come up as to whether or not you should be given a security clearance by the Coast Guard?

Mr. SEIF. I didn't have any problem.

Mr. ARENS. Did the Government have a problem?

Mr. SEIF. You will have to ask the Government that.

Mr. ARENS. Were you denied security clearance by the Government?

Mr. SEIF. I was.

Mr. ARENS. When was that?

Mr. SEIF. I don't know.

Mr. ARENS. What is your best recollection, please, sir?

Mr. SEIF. Some time about the time you claim, I imagine it was in 1951 some time.

Mr. ARENS. Was it as late as August 1952?

Mr. SEIF. It might have been. I don't recall the date.

Mr. ARENS. Have you ever run for public office?

Mr. SEIF. That is a matter of public record, isn't it?

Mr. ARENS. Tell us if you have run for public office and then we will allude to some of these public records. Can you help us on that? Have you ever run for public office?

Mr. SEIF. Yes.

Mr. ARENS. I should like to display to you now one of these public records to which you have alluded, a certificate of nomination wherein Milton Seif was nominated as a candidate of the Progressive Party for the State legislature.

Mr. SEIF. What year was that?

Mr. ARENS. 1950, and I observe here, and I invite your attention specifically to the last part of the this photostatic reproduction of this declaration, an affidavit of the candidate. This is dated and sworn to as of September 1, 1950:

I, Milton H. Seif, do hereby certify and affirm that I am not a subversive person as defined in chapter 86 of the acts of the General Assembly of Maryland of 1949, namely, that I am not a person who commits, attempts to commit, or aids in the commission, or advocates, abets, advises, or teaches by any means any person to commit, attempt to commit, or aid in the commission of any act intended to overthrow, destroy, or alter, or to assist in the overthrow, destruction or alteration of, the constitutional form of the Government of the United States, or of the State of Maryland, or any political subdivision of either of them, by revolution, force, or violence.

I do further certify and affirm that I am not a member of a subversive organization as defined in said chapter 86, namely, that I am not a member of an organization which engages in or advocates, abets, advises, or teaches, or a purpose of which is to engage in or advocate, abet, advise, or teach activities intended to overthrow, destroy or alter, or to assist in the overthrow, destruction or alteration of, the constitutional form of the Government of the United States, or of the State of Maryland, or of any political subdivision of either of them, by revolution, force, or violence.

I further certify and affirm that I am not a member of a foreign organization as defined in said chapter 86, namely, that I am not a member of any or-

ganization directed, dominated, or controlled directly or indirectly by a foreign government which engages in or advocates, abets, advises, or teaches, or a purpose of which is to engage in or to advocate, abet, advise, or teach activities intended to overthrow, destroy or alter, or to assist in the overthrow, destruction or alteration of the constitutional form of Government of the United States, or of the State of Maryland, or of any political subdivision of either of them, and to establish in place thereof any form of government the direction and control of which is to be vested in, or exercised by or under, the domination or control of any foreign government, organization, or individual.

Kindly look at that public document now, which I have produced in response to your suggestion, and tell us, first of all, whether that is your signature and whether or not you affixed your signature and subscribed to it and took an oath when you ran for the State Legislature of Maryland in 1950.

(The witness conferred with his counsel.)

Mr. SEIF. This appears to be my signature.

Mr. ARENS. Did you subscribe to that and take an oath?

Mr. SEIF. I suppose I did.

Mr. ARENS. As of the time you affixed your signature to that document, were you a member of the Communist Party?

Mr. SEIF. I refuse to answer that question, but as far as the provisions outlined in that statement, I even hate the inference of having to be questioned about it.

Mr. ARENS. I don't quite understand you.

Mr. SEIF. My statement is very simple. As far as any kind of inference—

Mr. ARENS. Were you a member of a subversive organization?

Mr. SEIF. I refuse to answer that question.

Mr. ARENS. Would you kindly look at this next document, Certificate of Nomination, wherein you were nominated as a candidate in 1951 for comptroller of Baltimore City.

I see here a form affixed to that, an affidavit signed by Milton Seif. Kindly look at that document and see if you can accommodate us by verifying its authenticity, particularly the verification of your signature.

Mr. SEIF. It appears to be my signature.

Mr. ARENS. As of the time you signed that document, were you then a member of the Communist Party?

Mr. SEIF. I plead the fifth.

Mr. ARENS. Mr. Chairman, I respectfully suggest that each of these two documents be appropriately marked and incorporated by reference in the record.

Mr. WILLIS. It is so ordered.

(Documents marked "Seif Exhibits Nos. 2 and 3," respectively, and retained in committee files.)

Mr. ARENS. I should like to display to you, if you please, sir, a photostatic reproduction of a letterhead of the Provisional Trade Union Committee for Repeal of the Smith Act bearing a letter addressed "Dear Brothers and Sisters." Listed among the sponsors of this enterprise is Milton Seif, local union 24, Shipyard Workers, CIO, Baltimore, Md.

Kindly look at this document, if you please, sir, and tell us whether or not you consciously participated in that enterprise.

(The witness conferred with his counsel.)

Mr. ARENS. Could you help us on that, please?

Mr. SEIF. I refuse to answer on the previous grounds.

Mr. ARENS. Do you honestly feel if you told the committee whether or not you consciously participated in this Trade Union Committee for Repeal of the Smith Act, you would be supplying information which might be used against you in a criminal proceeding?

Mr. SEIF. I don't get the meaning of your question.

Mr. ARENS. Do you honestly feel if you told us whether or not you participated in this enterprise, you would be supplying information which might be used against you in a criminal proceeding?

Mr. SEIF. It possibly could; yes.

Mr. ARENS. Mr. Chairman, I respectfully suggest that the document be appropriately marked and incorporated by reference in this record.

Mr. WILLIS. It is so ordered.

(Document marked "Seif Exhibit No. 4," and retained in committee files.)

Mr. ARENS. I should like to invite your attention to a photostatic reproduction of an article on page 9 of the Worker of May 25, 1947, entitled "550 Union Officials Assail 'Red Hunt'."

Part of the article reads:

550 CIO and AFL union officials warned last week that the House Un-Americans are spearheading the drive of Big Business against labor "in the name of hunting Communists." The warning was contained in a statement released by the Civil Rights Congress.

A number of persons are listed here in this alert to the world to be cautious about the activities of the Committee on Un-American Activities. Listed as one of those who is so informing the American people is Milton Seif, chairman, Local 24, Baltimore Industrial Union Marine and Shipbuilding Workers of America.

Tell this committee whether or not that refreshes your recollection and whether or not you consciously, actively participated in that enterprise.

Mr. SEIF. Pardon me. Do you know whether this was reported or a letter written?

Mr. ARENS. I am only displaying to you, Mr. Seif, the photostatic reproduction of an article from the Worker, and asking you whether or not that document refreshes your recollection as to any participation you may have had in the events or in the circumstances described in that article.

(The witness conferred with his counsel.)

Mr. SEIF. Very vaguely. I just see my name here.

(Document marked "Seif Exhibit No. 5," and retained in committee files.)

Mr. ARENS. Does the vagueness of your recollection encompass the recollection of whether or not, as of the time you were one of the moving lights in informing the American people of the dangers of this committee, you were then a member of the Communist Party? Do you recall that, or is your memory fresh on that subject?

Mr. SEIF. What is specifically the question?

Mr. ARENS. Were you a Communist at the time you loaned your name to the enterprise?

Mr. SEIF. I plead the fifth amendment.

Mr. ARENS. You certainly would not be ashamed, would you, Mr. Seif, to alert the American people on something which was trying to

destroy labor and working people, unless there might have been some chip under the rug?

Mr. SEIF. I don't get your point.

Mr. ARENS. Were you a Communist when you participated in this enterprise?

Mr. SEIF. I answered that question, didn't I?

Mr. ARENS. Answer it again, please, sir.

Mr. SEIF. I plead the fifth amendment.

Mr. ARENS. I should like to invite your attention to another document, an article in the Communist Daily Worker in New York for Thursday, February 28, 1952, Unionists Across Nation Support Move To Repeal Smith Act.

A number of people are listed here, calling upon the Congress and upon the Government to repeal the Smith Act. I observe here among those who are so announcing this program Milton Seif, Local 24, CIO Shipyard Workers, Baltimore.

Kindly look at that document and see whether or not that refreshes your recollection with reference to any activity in which you may have been engaged in connection with that movement.

Mr. SEIF. I don't recall that. I am not saying it might not have happened. I don't just recall seeing this particular thing.

(Document marked "Seif Exhibit No. 6" and retained in committee files.)

Mr. ARENS. Do you know the man who preceded you to the witness stand?

Mr. SEIF. Whom are you referring to?

Mr. ARENS. Charles Craig.

Mr. SEIF. I refuse to answer that question on the basis of the fifth.

Mr. ARENS. Do you know Mary Markward?

Mr. SEIF. I refuse to answer that question.

Mr. ARENS. Both of these persons have laid their liberty on the line. If they falsified their testimony, they will be prosecuted for perjury. They said they knew you as a Communist. We want to give you an opportunity to deny it while you are under oath. Do you care to avail yourself of that opportunity?

Mr. SEIF. Under the circumstances I have to plead a good friend of mine which is the fifth amendment, which is a constitutional liberty granted to me that I think I am protecting right at this moment.

Mr. ARENS. You know, Mr. Seif, that you presently are under oath and that if you falsify any statements deliberately on a material matter before this committee, you can be prosecuted for perjury; you know that, do you not? After you are relieved from the pains, penalties, and obligations of your oath, do you intend to announce to the world, as you apparently have done on previous occasions, "Of course I am not a Communist, but I wasn't going to tell that witch-hunting, Red-baiting, Fascist, House Un-American Activities Committee that I was not a Communist"?

Do you intend to do that, or substantially that, after you are relieved from the pains, penalties, and obligations of your oath before this committee?

Mr. SEIF. I intend to do whatever I think is best to do.

Mr. ARENS. Do you encompass what is best to do for yourself to say to the world and your associates, "Of course, I am not a Communist," after you are relieved from the obligations of your oath?

Mr. SEIF. Does this committee grant all the privileges of a court?

Mr. ARENS. Mr. Chairman, I respectfully suggest now that this record reflect an order and direction to the witness to answer that question.

Mr. SEIF. Will you please repeat the question?

Mr. ARENS. After you have been released from the obligation of your oath, do you expect to deny Communist Party membership, as you have in the course of the period intervening since you were last identified as a Communist before this committee?

Mr. SEIF. I don't know what I am going to do in the future.

Mr. ARENS. Do you know a person by the name of Otto Yerrell?

Mr. SEIF. I refuse to answer that question on the basis of the fifth amendment.

Mr. ARENS. Mr. Chairman, I respectfully suggest that will conclude the staff interrogation of this witness.

Mr. SEIF. May I make a statement, Mr. Chairman?

Mr. WILLIS. I do not see any purpose of your making a statement. Is it a statement that will answer any question?

Mr. SEIF. No, I don't think it will answer the question placed before me here, but it will answer some questions that are in my mind if I can get an answer.

Mr. WILLIS. I see no purpose.

Mr. SEIF. That is quite obvious.

Mr. ARENS. Mr. Chairman, I suggest that the next witness, if you please, be Gertrude Swogell. The purpose of calling her now, Mr. Chairman, is so that the counsel may make a record.

Miss LEVY. My name is Elsbeth Levy. I am a member of the Baltimore Bar. I represent Mrs. Swogell. I am informed that Mrs. Swogell is to be hospitalized today. Therefore, she can't appear.

I therefore request you excuse her from testifying at this time.

Mr. ARENS. I respectfully suggest that this request be acceded to and that Mrs. Swogell presently be excused from appearing before this committee, but that she be continued under subpoena subject to the call of the chairman after we have communicated with counsel.

Mr. WILLIS. Is that satisfactory with counsel?

Miss LEVY. Yes, sir.

Mr. WILLIS. It is so ordered.

Mr. ARENS. Mr. Otto Yerrell, kindly come forward.

Mr. MURPHY. Mr. Chairman, my client has requested he not be televised during the course of his interrogation.

Mr. WILLIS. Please raise your right hand.

Do you solemnly swear that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. YERRELL. I do.

**TESTIMONY OF OTTO YERRELL, ACCOMPANIED BY COUNSEL,
WILLIAM H. MURPHY**

Mr. ARENS. Kindly identify yourself by name, residence, and occupation.

Mr. YERRELL. My name is Otto Yerrell. My address is 2442 McCulloh Street. My employment is Bethlehem Steel Corp., Key Highway.

Mr. ARENS. You are appearing today in response to a subpoena served upon you by the House Committee on Un-American Activities?

Mr. YERRELL. Yes, sir.

Mr. ARENS. Would it be convenient for you to keep your voice up?

Mr. YERRELL. Yes, sir.

Mr. ARENS. You are represented by counsel?

Mr. YERRELL. Yes, sir.

Mr. ARENS. Will counsel kindly identify himself on this record.

Mr. MURPHY. William H. Murphy, East Pleasant Street, Baltimore, Md.

Mr. ARENS. Do you know a man by the name of Charles Craig?

Mr. YERRELL. I refuse to answer that question on the grounds it might tend to incriminate me.

Mr. ARENS. Mr. Craig, this morning, took an oath and said that, while he was an undercover agent for the Federal Bureau of Investigation in the Communist Party, he knew you as a Communist. That is a pretty serious thing to say about a man.

Now, I want to give you an opportunity to stand up and deny it while you are under oath.

Mr. YERRELL. I still invoke the fifth amendment. I refuse to answer that question on the grounds it may tend to incriminate me.

Mr. ARENS. How long have you been employed at Bethlehem Steel?

Mr. YERRELL. Approximately 22 years.

Mr. ARENS. In what capacity are you employed?

Mr. YERRELL. I am employed as a wood carpenter and a carpenter.

Mr. ARENS. What was your employment immediately prior to your present employment?

Mr. YERRELL. What do you mean, with the company, or elsewhere?

Mr. ARENS. Where did you work before you got your present job?

Mr. YERRELL. I worked for such a place as Chesapeake Marine, and Booz Bros.

Mr. ARENS. I did not get the last place.

Mr. YERRELL. Booz Bros., on Key Highway, now located on this side of the sugar refinery.

Mr. ARENS. You have lived in Baltimore a great many years; is that correct?

Mr. YERRELL. I have lived in Baltimore since the year 1929.

Mr. ARENS. Do you belong to a labor organization?

Mr. YERRELL. I am a member of a labor organization.

Mr. ARENS. Have you ever held any office or post of responsibility in that labor organization?

(The witness conferred with his counsel.)

Mr. YERRELL. I refuse to answer that question on the grounds it may tend to incriminate me.

Mr. ARENS. Mr. Chairman, I respectfully suggest that this record reflect an order and direction to the witness to answer that question.

Mr. WILLIS. You are directed to answer the question.

Mr. YERRELL. I decline to answer on the grounds it might tend to incriminate me.

Mr. WILLIS. It is a simple question. Are you now, or have you ever been, an officer of your union? I have directed you to answer it, and you refuse to answer it.

I just want to know if you understood what the question was.

Mr. YERRELL. I understood your question.

Mr. ARENS. You understand the committee is not undertaking to threaten you or intimidate you, but we are advising you in the opinion and judgment of this committee that is a proper question concerning which we are entitled to an answer. If you do not answer it, you may subject yourself to some pains and penalties.

Are you, or have you been, an officer of the labor organization of which you are a member?

Mr. YERRELL. I decline to answer the question on the grounds it might tend to incriminate me.

Mr. ARENS. Now, may the record be abundantly clear, Mr. Chairman, with a direction to him to answer the question?

Mr. WILLIS. I direct you to answer that question. You have counsel and you can do what you want. It is perfectly immaterial to us, but obviously counsel can give you advice and opinion. If you want to invoke the fifth amendment on this question, that is all right.

(The witness conferred with his counsel.)

Mr. YERRELL. I do invoke the fifth amendment.

Mr. ARENS. Do you know the man who just preceded you to the witness stand?

Mr. YERRELL. I refuse to answer that question on the grounds it might tend to incriminate me.

Mr. ARENS. You would not be ashamed of his acquaintanceship, would you? He is a friend of yours, isn't he?

Mr. YERRELL. I refuse to answer that question on the ground it may tend to incriminate me.

Mr. ARENS. Now, we would like you to help us a little bit. You want to help this committee, do you not?

Mr. YERRELL. I have been subpoenaed before the committee. I am not antagonistic toward the committee, yet I want to be protected under the laws and the Constitution of the United States.

Mr. ARENS. We would like to have you help us. I will display to you here certain documents. The first document, if you please, is a Call to the Second Annual Convention of the National Negro Labor Council, November 21, 22, 23, 1952. A number of people are alerting the world to come to this council.

I see here among those who are sending out this call is Otto Yerrell, president of the Baltimore Negro Labor Council.

Kindly look at this document as I display it to you and see if that might refresh your recollection. Tell us, first of all, if you participated in the issuance of that call and, secondly, whether or not you are accurately described there as president of the Baltimore Negro Labor Council.

(The witness conferred with his counsel.)

Mr. YERRELL. I decline to answer that question on the ground it might tend to incriminate me.

(Document marked "Yerrell Exhibit No. 1," and retained in committee files.)

Mr. ARENS. Would you keep your voice up?

Were you president of the Baltimore Negro Labor Council?

Mr. YERRELL. I decline to answer that question on the grounds it might tend to incriminate me.

Mr. ARENS. I lay before you a copy of an open letter addressed to the members of the Maryland delegation in the Congress. Those are the Congressmen in Washington from Maryland:

We the undersigned, citizens of the State of Maryland, urge you to actively support and vote for the repeal of the McCarran Internal Security Act.

And they tell in this letter about how undemocratic and how disgraceful this act is, how it denies basic rights, strikes extremely serious blows to our democratic traditions, thought control, punishes people for their beliefs and not for crimes, and is a threat to all political beliefs.

If such a thing as that existed, I am sure we would all take pride in undertaking to cause it to be repealed.

I want you to tell this committee while you are under oath if you are accurately described there as one of the sponsors of this enterprise to get this infamous law off the books of the Federal statutes.

(The witness conferred with his counsel.)

Mr. ARENS. While you are looking at that, let me display another document to you from the Communist Daily Worker, Wednesday, June 6, 1951, Maryland Notables Ask McCarran Repeal. A number of notables described here, civic leaders, ask for the repeal of this infamous McCarran Act, the Internal Security Act. Among those notables who are sallying forth against this infamous legislation, according to this article, is Otto B. Yerrell.

Kindly look at that document in connection with the first one you have in your hand and see if each or both of those documents refresh your recollection as to your participation in that movement.

Do you remember that?

(The witness conferred with his counsel.)

Mr. YERRELL. In answer to both questions I decline. Any answer I give may tend to incriminate me.

(Documents marked "Yerrell Exhibits Nos. 2 and 3," respectively, and retained in committee files.)

Mr. ARENS. You would not be ashamed to advocate the repeal of infamous legislation which is out to destroy people's thoughts and which is undemocratic, which does all these things that you and your colleagues describe here? There is nothing to be ashamed about, is there?

Mr. YERRELL. I decline to answer. Any answer I might give may tend to incriminate me.

Mr. ARENS. Your public service has also injected you into legislative matters in the State, apparently. I should like to display to you now a bulletin:

Defeat the Ober law. Vote for price controls, end war profiteering, abolish discrimination, civil liberties, eliminate Taft-Hartley law. Save Maryland and the Nation from the fate of Fascist Germany, Italy, and Japan. Your liberty is in your hands. Vote against the Ober law. Protect our living standards, protect our lives, protect and extend our democratic rights.

One of those who is calling that challenge to the American people to rise in their self-interest is described here as Otto Yerrell, shipyard worker, candidate for the House of Delegates, Fourth District, member of local 24, Industrial Union Marine and Shipbuilding Workers of America, CIO.

He is quoted here as saying:

The people in the fourth legislative district know only too well what discrimination means in terms of poor housing, low-paying jobs * * *

and the like.

Kindly look at this bulletin and tell us whether or not you will now somehow overcome your modesty and profess to the world that it was you who was championing the cause of civil liberty, civil rights, and democracy, peace and the integrity of this Nation. Can't you help us on that?

(The witness conferred with his counsel.)

Mr. YERRELL. I decline on the grounds that any answer I might give would tend to incriminate me.

(Document marked "Yerrell Exhibit No. 4" and retained in committee files.)

Mr. ARENS. You certainly would not be ashamed to alert the American people to something that was going to destroy their liberties. Certainly you would not be ashamed to protect their lives, their living standards, and democratic rights.

You are not ashamed of what you did on this, are you?

Mr. MCINTOSH. Mr. Arens, the witness has already declined to answer the question. I suggest we go on.

Mr. ARENS. Now, sir, I would like to ask you whether or not when you were a candidate for the Progressive Party for the house of delegates you signed a non-Communist affidavit. Did you do that?

Mr. YERRELL. What was that question?

Mr. ARENS. You ran for public office on the Progressive Party ticket, did you not?

Mr. YERRELL. I decline to answer that question on the ground it might tend to incriminate me.

Mr. ARENS. I would like to display to you thermofax reproductions of newspaper clippings here in Baltimore, in 1950 and 1952, referring to a number of people who filed as candidates on the Progressive Party ticket.

At that time, as I am sure you know, it was necessary that there be filed along with the announcement of candidacy a non-Communist affidavit. Kindly look at that document and tell this committee, while you are under oath, whether or not that article refreshes your recollection as to any affidavit you may have filed with the State of Maryland, denying membership in the Communist Party or in a subversive organization.

Mr. YERRELL. I decline to answer that; any answer I might give would tend to incriminate me.

Mr. ARENS. According to one of the articles, you were one of the cochairmen of the Progressive Party. Do you recall that status? Were you a cochairman of the Progressive Party?

(The witness conferred with his counsel.)

Mr. YERRELL. I decline to answer that question on the ground that it tends to incriminate me.

Mr. ARENS. The other cochairman was a man by the name of Harold Buchman. Did you know him?

Mr. YERRELL. I refuse to answer that question on the ground it may tend to incriminate me.

Mr. ARENS. Did you go to Chicago for any purpose in 1952? Do you recall? Do you recall any trip you may have made to Chicago in 1952?

Mr. YERRELL. Have you any specific reference?

Mr. ARENS. Yes, did you attend the Progressive Party convention in Chicago in 1952?

Mr. YERRELL. I decline to answer that question on the ground it might tend to incriminate me.

(Documents marked "Yerrell Exhibit No. 5," and retained in committee files.)

Mr. ARENS. Have you ever applied for a port security card?

(The witness conferred with his counsel.)

Mr. YERRELL. I decline to answer that question on the ground it might tend to incriminate me.

Mr. ARENS. Mr. Chairman, I respectfully suggest that the witness be ordered and directed to answer that question.

Mr. WILLIS. You are directed to answer that question.

Mr. MURPHY. I don't think the witness heard your direction.

Mr. WILLIS. I direct you to answer that question.

(The witness conferred with his counsel.)

Mr. YERRELL. I decline to answer that question because any answer I might give might tend to incriminate me.

Mr. ARENS. Mr. Chairman, I respectfully suggest that all exhibits which have been displayed to this witness be appropriately marked and incorporated by reference in this record.

Mr. WILLIS. It is so ordered.

Mr. ARENS. What have you done at the Bethlehem Shipyard besides working for the ship company?

Mr. YERRELL. Sir, would you direct that question again?

Mr. ARENS. Yes. What have you done at the Bethlehem Shipyard, what type of activity have you been engaged in, besides building ships?

Mr. YERRELL. I wish you would make yourself more explicit.

Mr. ARENS. Did you have any official function for some organization at Bethlehem?

Mr. YERRELL. I would like you to be more specific, please.

Mr. ARENS. Have you been working at Bethlehem Shipyard in behalf and in the interest of the Communist Party?

Mr. YERRELL. I refuse to answer that question on the ground that the answer might tend to incriminate me.

Mr. ARENS. Are you now, this moment, a member of the Communist Party?

Mr. YERRELL. I refuse to answer that question on the ground any answer I might give might tend to incriminate me.

Mr. ARENS. Mr. Chairman, I respectfully suggest that will conclude the interrogation of this witness.

Mr. WILLIS. Have you ever been a member of the Communist Party?

Mr. YERRELL. Mr. Chairman, I refuse; any answer I might give might tend to incriminate me.

Mr. WILLIS. The witness is excused.

The committee will stand in recess until 1:30.

(Thereupon, at 12:10 p. m., May 9, 1957, the subcommittee was recessed, to reconvene at 1:30 p. m., the same day.)

AFTERNOON SESSION—THURSDAY, MAY 9, 1957

(The subcommittee was reconvened at 1:30 p. m., upon the expiration of the recess. Committee members present: Representatives Willis and McIntosh.)

Mr. WILLIS. The subcommittee will come to order. Will counsel call the next witness?

Mr. ARENS. Mr. Milton Bates, please come forward.

Mr. FORER. We request that the cameras be turned off, Mr. Chairman. Will you rule on my request?

Mr. WILLIS. I have no control of the cameras until the witness is sworn.

Will you please raise your right hand?

Do you solemnly swear that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. BATES. I do.

Mr. FORER. Will you now rule on my request?

Mr. WILLIS. Yes. That is a rule of the committee. Counsel knows that as well as I.

TESTIMONY OF MILTON BATES, ACCOMPANIED BY COUNSEL,
JOSEPH FORER

Mr. ARENS. Will you kindly identify yourself by name, residence, and occupation?

Mr. BATES. May I sit down?

Mr. ARENS. If you please, then kindly identify yourself by name, residence, and occupation.

Mr. BATES. My name is Milton Bates. I reside at 4210 Clarkdale Road. My occupation is that of a salesman.

Mr. ARENS. You are appearing today, Mr. Bates, in response to a subpoena which was served upon you by the House Committee on Un-American Activities; is that correct?

Mr. BATES. That is correct.

Mr. ARENS. You are represented by counsel?

Mr. BATES. I am.

Mr. ARENS. Counsel, will you kindly identify yourself on the record?

Mr. FORER. Joseph Forer, Washington, D. C.

Mr. ARENS. Where are you employed, Mr. Bates?

Mr. BATES. I am currently employed with the Seaview Co.

Mr. ARENS. Where is that and in what line of work, please?

Mr. BATES. That is in real estate.

Mr. ARENS. Is that here in Baltimore?

Mr. BATES. Yes, it is.

Mr. ARENS. How long have you been so employed?

Mr. BATES. Since March 1955.

Mr. ARENS. Kindly tell us where and when you were born.

Mr. BATES. I was born in this city, August 22, 1921.

Mr. ARENS. Where and when were you educated, your higher education? What schools did you attend, please?

Mr. BATES. I assume you want me to leave out grammar school, junior high school. Come to think of it, I attended junior high school at School No. 49.

Mr. ARENS. In the Baltimore area?

Mr. BATES. Yes, my early schooling was in the Baltimore area.

Mr. ARENS. Then your higher education?

Mr. BATES. I went to Baltimore City College. I graduated there in February 1938. I took a few courses in accounting at the Baltimore College of Commerce. That was terminated by my entry into the Army in October 1942.

Mr. ARENS. When were you discharged from the Army?

Mr. BATES. I was honorably discharged from the Army in April 1946.

Mr. ARENS. Before we pursue further the chronology of events in your life, tell us where you served in the Army.

Mr. BATES. Yes, certainly. The first 2 years of my approximate 3½ years' service in the Army, I was in this country, various camps. If you want me to give you that information, I will be glad to do so.

Mr. ARENS. No, just the highlights of your service. Did you serve overseas?

Mr. BATES. Yes.

Mr. ARENS. Where?

Mr. BATES. I served in the European theater of operations from October 1944 to March 1946, when I returned to this country, and I was separated from service April 1, 1946.

Mr. ARENS. Did you have a commission?

Mr. BATES. No; I held a noncommissioned rank.

Mr. ARENS. In what branch or activity of the Army were you engaged?

Mr. BATES. I was, well, excluding my basic training period, I was finally assigned to a branch of service, it was the United States Signal Corps.

Mr. ARENS. On the day of your discharge from the United States Army, were you a member of the Communist Party?

Mr. BATES. Well, Mr. Arens, let me—I will refuse to answer that question on the following grounds:

I feel that this question is an improper one. I think it invades my freedom of conscience, freedom of political activity, political ideas. I think that I am protected under the first amendment of the Constitution which, if I read my history correctly, gives me this protection. It speaks of freedom of the press, freedom of religion, freedom of speech, freedom of assembly. Therefore, I think that question has to do with my political ideas. I respectfully refuse to answer on that ground. In addition, I refuse to answer under the privilege of the fifth amendment of the Constitution, in that I refuse to be a witness against myself.

Mr. ARENS. Were you a member of the Communist Party during all the period of your service in the United States Army?

Mr. BATES. Now, Mr. Arens, that is a loaded question, I would think. I have not said I was a member of the Communist Party at all. I refused to answer the previous question.

Mr. ARENS. Were you a member of the Communist Party on the day of your induction into the United States Army?

Mr. BATES. I refuse to answer that question on the grounds previously stated. Those grounds being, of course, the first amendment to the Constitution and the fifth amendment.

Mr. ARENS. Please tell us of your activity immediately after your discharge from the Army, your principal employment or pursuit of education.

Mr. BATES. Yes. My principal employment was with a publishing concern. That employment started in May of 1946 and continued on to approximately February of 1951.

Mr. ARENS. What was the name of the publishing firm and where was it located, please, sir?

Mr. BATES. The firm was located in New York City. The name of the firm is the Independent News Co.

Mr. ARENS. In what capacity were you employed?

Mr. BATES. I was the local area representative for that concern.

Mr. ARENS. Did any of your pursuit of education coincide in point of time with your employment by this publishing firm?

Mr. BATES. Yes. I took several night courses at McCoy College during this period.

Mr. ARENS. What is McCoy College? What type of courses are taught there?

Mr. BATES. As I recall, I think I took a course in short story writing. English, that sort of thing. It is a branch of Johns Hopkins University. It has a good reputation locally.

Mr. ARENS. Tell us any other education which you had, please, sir.

Mr. BATES. Well, I started my higher education, that is beyond the high school level, in the Army. I became a member of the Army specialized training program which at the time I entered it was, my understanding it was, that in 21 months—that is a relatively short space of time—a full college degree could be obtained and, at the successful conclusion thereof, I would become an officer and gentleman of the United States Army.

Mr. ARENS. Did you complete the course?

Mr. BATES. No, sir; I did not.

Mr. ARENS. What occasioned the fact that you did not complete the course?

Mr. BATES. Well, sir, I have no knowledge of the way the Army works. I was simply, after about 4 months—this was at Virginia Polytechnic Institute, Blacksburg, Va.—I was simply reassigned to Fort Monmouth, N. J.

Mr. ARENS. What did you do at Fort Monmouth, N. J.?

Mr. BATES. Actually the program collapsed a couple of months thereafter, and the rest of the fellows went into the infantry. I guess I was lucky.

Mr. ARENS. What did you do at Fort Monmouth, N. J.?

Mr. BATES. I attended several training schools at the direction of my Army superiors.

Mr. ARENS. Training schools in what subjects?

Mr. BATES. Message center work originally, and then cryptograph work.

Mr. ARENS. During the course of your experience in the United States Army, as well as during your experience in the pursuit of these various courses under the auspices of the United States Army, did you have access to any confidential, restricted, or security information?

Mr. BATES. Oh, by all means.

Mr. ARENS. What was the nature of the confidential, restricted, or security information to which you had access?

Mr. BATES. Well, the various types of machines used in coding and decoding classified messages, ranging from restricted to top secret, eventually.

Mr. ARENS. Were you cleared for top secret?

Mr. BATES. Apparently I was, sir. I did the work. I am sure I must have been cleared.

Mr. ARENS. During the period of your life when you were cleared for top secret work and during the period of your life coextensively in which you had access to confidential or security information, were you then under the discipline of the Communist Party?

Mr. BATES. Mr. Arens, during that period of my life, I was under the discipline of the Army and only under the discipline of the United States Army.

Mr. ARENS. And—

Mr. BATES. Please, Mr. Arens, you have asked a question. I will attempt to answer this question, but you did interrupt me at that point.

Mr. ARENS. Were you then a Communist; that is the question.

Mr. BATES. Of course, you have the same reply as I gave you before. Under the first and fifth amendments of the Constitution, I will respectfully refuse to answer that question.

Mr. McINTOSH. I understand you to say, in your first answer to those questions, that you were under the discipline of the United States Army and of no other organization during that period.

Mr. BATES. That was my answer, sir.

Mr. ARENS. Did you take an oath as a prerequisite to your admission in the Armed Forces of this Government to support and defend the Constitution of the United States?

Mr. BATES. I believe I recall such an oath; yes, sir. I am sure I took it.

Mr. ARENS. At the time you took the oath, were you a member of an organization which has been found by the Congress of the United States, by the Supreme Court of the United States, to be an organization dedicated to the overthrow of the Government of the United States by force and violence?

(The witness conferred with his counsel.)

Mr. BATES. Well, sir, what organization do you have reference to?

Mr. ARENS. The Communist Party.

Mr. BATES. I refuse to answer that question on the grounds previously stated.

Mr. ARENS. Now, may I ask you if you will kindly pick up the chronology of your life, particularly the pursuit of your education.

Mr. BATES. Gladly.

Mr. ARENS. And tell us the next educational work which you undertook.

Mr. BATES. Well, now, where were we, Mr. Arens?

Mr. ARENS. We were last, according to my recollection, considering the Army courses which you took.

Mr. BATES. Of course, subsequent to the Army, as I have already told you, the next college credits I earned were at McCoy College in the courses I have already mentioned to you, writing courses.

Mr. ARENS. Does that complete your formal education?

Mr. BATES. No; it did not. In February of 1951, I left my full-time employment with the Independent News Co. and resumed my education on a more or less full-time basis at the Baltimore Junior College.

Mr. ARENS. That was in about 1952?

Mr. BATES. As I recall, February 1951.

Mr. ARENS. What courses did you pursue there?

Mr. BATES. Well, there I pursued the required courses in an attempt to complete my prelaw education for later subsequent entry into law school.

Mr. ARENS. Did you complete your prelaw work?

Mr. BATES. I did.

Mr. ARENS. Did you thereafter enter law school?

Mr. BATES. I did.

Mr. ARENS. Where?

Mr. BATES. At the University of Maryland in Baltimore.

Mr. ARENS. And did you complete your law work?

Mr. BATES. I did.

Mr. ARENS. Did you receive an LL. B. degree?

Mr. BATES. I did.

Mr. ARENS. When?

Mr. BATES. Well, I completed my work in May or so, June was the final exams, in 1955, and I received my degree that year.

Mr. ARENS. That was in 1955?

Mr. BATES. As I recall; yes.

Mr. ARENS. Did you apply for admission to the bar?

Mr. BATES. Yes, I did.

Mr. ARENS. Were you admitted to the bar?

Mr. BATES. I withdrew my application after applying.

Mr. ARENS. What caused you to withdraw your application after you applied for admission to the bar?

Mr. BATES. Excuse me.

(The witness conferred with his counsel.)

Mr. BATES. Mr. Arens, of course, you are referring now to a fairly complicated period of my life. I would like to say that my decision to withdraw in the main—I don't intend to encompass the whole situation—was based on the fact that unfortunately having passed the written examination, that part of the entrance requirements to the bar, with a grade, I think, of 243—

Mr. ARENS. That is a rather significant grade, is it not, a high grade?

Mr. BATES. Well, I don't know. That was the grade.

Mr. ARENS. You passed the written part of the bar with flying colors, did you not?

Mr. BATES. Nice of you to say so, sir.

Mr. ARENS. Why is it you did not pursue your application for admission to the bar?

Mr. BATES. Because the oral part of the examination which took place before a subcommittee of the character committee of the State bar seemed to be more concerned with my political beliefs and activities than with other things that I hoped had a little more relevance to my qualifications to practice.

Mr. ARENS. Did they evidence a concern as to whether or not you were a member of the Democratic Party or the Republican Party?

You said they were concerned about your political philosophy, I believe, or something to that effect. Now, which was it that they were concerned about, whether you were a Republican or Democrat? Can you help us on that?

Mr. BATES. Yes, sir; I can help you on that. As I recall, they weren't, at least—now, you must understand this—again unfortunately there is no written transcript of the interview that I had with the subcommittee.

I requested it and I have been told that no transcript exists.

They asked me a number of questions relating to my political activities. I answered these questions under vigorous protest.

I hope that the record will show that.

Mr. ARENS. Did they ask you whether or not you were a member of this group called the Communist Party?

Mr. BATES. Yes; they did.

Mr. ARENS. What did you tell them?

Mr. BATES. I told them I was not.

Mr. ARENS. Were you truthful when you told them you were not a member of the Communist Party?

(The witness conferred with his counsel.)

Mr. BATES. Mr. Arens, I will respectfully decline to answer that question on the grounds previously stated.

I would like to say this, though, if I am permitted to do it. It is a little bit late and then perhaps again it is not, but the Supreme Court of the United States, according to a clipping from the Baltimore Sun, on the morning that these hearings opened in Baltimore City—

Mr. ARENS. You mean these hearings of the last 2 or 3 days?

Mr. BATES. Tuesday morning, May 7, 1957—carries the news of the decision that I think is significant and that I hope would justify to some extent the position that I took, that these questions put to me were political in nature and should not have been put to me.

If you wish, I shall be glad to read what the Baltimore Morning Sun has to say in relation to this case. It is headed as the Koenigsberg case.

I think it is a pretty significant decision.

Mr. ARENS. We have an outstanding question on this record. I want the record to reflect the state of the proceedings as of the moment. You have been asked the question whether or not you were interrogated by the bar association as to any Communist Party membership.

You have volunteered the statement on this record that you told the bar association group that you were not then a Communist. There is now an outstanding question on this record: Did you tell them the truth?

And I respectfully suggest, Mr. Chairman, that the witness be ordered and directed to answer the question.

Mr. BATES. Mr. Arens, you didn't have to speak so quickly. I can understand you, sir. That question has already been answered to my knowledge. I have declined to answer that question.

Mr. ARENS. Mr. Chairman, I respectfully suggest that, in view of the status of this record, the witness now be ordered and directed to answer the question. He has opened the door by asserting that he told the bar group that he was not a Communist.

A perfectly proper question to follow is: Was that a truthful answer?

I respectfully suggest now that the witness be ordered and directed to answer that question.

Mr. WILLIS. I direct you to answer that question.

Mr. FORER. May the record show that I have advised the witness that direction is improper and that he is entitled to abide by his refusal.

Mr. ARENS. Counsel, you know your sole and exclusive prerogative in this proceeding is to advise your client.

Mr. FORER. I just did advise him.

Mr. WILLIS. That is all right. That is your right to advise him, but he has to answer my direction.

Mr. FORER. Yes.

Mr. WILLIS. I direct you to answer the question.

Mr. BATES. Mr. Willis, there are channels open to me provided by the State board of law examiners if I want to pursue further the question of my law school and legal potential, if any, legal career. Under those channels, as I understand them, I would have there a right to present witnesses in my own behalf, a right to cross-examine any witnesses against me. Obviously, if I choose to pursue this question further, I will take advantage of those channels. That is a fairer situation than what is presented to me here by this committee.

Mr. ARENS. So the record is clear, do you understand, sir, that you are now under a direction and order by the committee to answer the question as to whether or not your response to the bar association group in reference to Communist Party membership was a truthful response? Do you understand the status of this record now?

Mr. BATES. I would like a moment or two to confer with counsel. (The witness conferred with his counsel.)

Mr. BATES. Mr. Chairman, I understand your question perfectly. I abide by my previous refusal to answer the question.

Mr. ARENS. Thank you, sir.

Were you under oath when you appeared before this bar association group?

Mr. BATES. To the best of my knowledge, I was not.

Mr. ARENS. On the very day you appeared before the bar association group and told them you were not a Communist, were you a Communist?

Mr. BATES. This is a rephrasing of the question I have—

Mr. ARENS. No; it is not. It is a different approach.

Mr. BATES. I have refused to answer it a number of times prior. I feel when you put the question to me, "Are you a Communist?" that this has to do with political beliefs and ideas. I think that this committee does not have the jurisdiction to so inquire. I think it has even less jurisdiction to inquire—if you will permit me to continue—I think it has even less jurisdiction to inquire into that area than the subcommittee of the character committee of the bar. I think the Supreme Court agrees—of course, they don't agree with me. I would agree with them on this question. I feel I am protected under the first and fifth amendments of the Constitution.

Mr. McINTOSH. If I might interrupt, the American people, through the United States Congress, are going to spend somewhere in the neighborhood of \$40 billion this year to protect Americans and other free people against the military threat controlled by the Communist

Party. We are directed by the American people acting through the Congress of the United States to make inquiries of the nature of the inquiries directed to you.

If you believe that the American people and the Congress, and the Supreme Court, are incorrectly interpreting the Constitution of the country, you are entitled to your view. We are acting pursuant to the instructions of the Congress of the United States.

Mr. ARENS. There is an outstanding question on this record. I solicit your answer.

Mr. BATES. What is the question, sir?

Mr. ARENS. The outstanding question on this record now is: On the very day that you denied to the bar association group that you were a Communist, were you a member of the Communist Party?

(The witness conferred with his counsel.)

Mr. BATES. I cannot help but comment—I think this question has been asked me 2 or 3 or 4 times previously.

Mr. WILLIS. You have never answered it.

Mr. BATES. Yes, I refuse, Mr. Willis, on the ground of the protection afforded me by the first and fifth amendment.

Mr. ARENS. Do you know a person by the name of Charles Craig, C-r-a-i-g?

(The witness conferred with his counsel.)

Mr. BATES. I refuse to answer that question on the previously stated grounds.

Mr. ARENS. Charles Craig this morning took an oath and testified that while he was an undercover agent in the Communist conspiracy, at the behest of the Federal Bureau of Investigation, he knew you to a certainty to be a member of the Communist Party.

We would like to give you now an opportunity to speak up before this committee, as you spoke up before the bar group, and deny it if you care to avail yourself of that privilege.

(The witness conferred with his counsel.)

Mr. BATES. Yes; you say you wish to give me an opportunity. I thank you for the opportunity. I don't consider it an opportunity. Of course, that is the interpretation. I do not consider it an opportunity because, according to the rules I read in the little blue book that was handed to me when I got the subpoena, there is no right in there to present witnesses in my behalf, to cross-examine those who made accusations against me.

So I just respectfully decline to accept what you have termed an opportunity for the reasons previously stated.

Mr. ARENS. Did Charles Craig lie this morning, or did he tell the truth, when he was under oath subject to the pains and penalties of perjury? Did he lie or did he tell the truth when he said you were a Communist?

(The witness conferred with his counsel.)

Mr. BATES. I refuse to answer the question on the grounds previously stated.

Mr. ARENS. I believe we have arrived at the point in the chronology of your life when you voluntarily withdrew your application to pursue the profession of law. What time was that? What was the year again, to clear our record, if you recall, 1955 or 1956?

Mr. BATES. What date are you seeking, the time I withdrew my application?

Mr. ARENS. The time you had an interview before the bar association.

Mr. BATES. That was in the summer of 1955, as I recall.

Mr. ARENS. Then pick up the thread of your life and tell us of your principal engagements and activities. It has not been too long now.

Mr. BATES. In what connection?

Mr. ARENS. Employment.

Mr. BATES. Occupation?

Mr. ARENS. Yes, please, sir.

Mr. BATES. Well, in the summer of 1955—

Mr. ARENS. Just your principal occupation.

Mr. BATES. I was working at sales work just as I am doing now.

Mr. ARENS. The same company, same type of work?

Mr. BATES. Yes.

Mr. ARENS. You have been continuously employed ever since?

Mr. BATES. That is correct.

Mr. ARENS. Were you secretary of the Progressive Party of Maryland in 1950?

Mr. BATES. Now, Mr. Arens, you are getting back to the same area that I consider political in nature, and I respectfully refuse to answer the question under the two amendments previously cited.

Mr. ARENS. Did you in April of 1950 attack the Federal Bureau of Investigation or attack a pattern of thought control caused by the Federal Bureau of Investigation coming around to visit you? Perhaps I had better read this and display it to you so there will be no misinterpretation of what I have in mind.

I have in my hand and I will display to you in just a moment, the Baltimore Sun of April 3, 1950. It is an article entitled "Progressive Candidates Ask 'Peace on Ballot'."

In the course of this article the following appears:

Milton Bates, secretary of the Progressive Party in Maryland, said a man who identified himself as an FBI agent called him on the telephone prior to the meeting and asked, "Is there anything you want to tell me?" "The Justice Department has been exposed as the most corrupt branch of a very corrupt Government," said Mr. Bates, and this one single action (the call), was part of a pattern, a pattern of thought control. The purpose is to silence and to make sure that meetings like this are not held.

Do you recall making those statements in this meeting described in the article from the Baltimore Sun, which I shall now lay before you? See if that refreshes your recollection if you please, sir.

(The witness conferred with his counsel.)

Mr. BATES. Mr. Arens, this is a newspaper clipping and apparently it purports to be a quote of what I said; I don't know how accurate that is, frankly.

Mr. ARENS. I don't either. That is why I asked you if that article refreshed your recollections to see if you can help this committee on un-American activities.

Mr. BATES. It has been a long time ago.

Mr. ARENS. You have no recollection of it: is that correct, or do you have a recollection?

Mr. FORER. Recollection of what?

Mr. ARENS. Counsel knows your sole and exclusive prerogative is to advise your witness.

Mr. FORER. I can't advise him if I don't understand the question.

Mr. ARENS. Can you tell us whether or not you have a recollection of the meeting and of the statements attributed to you in that article?

Mr. BATES. I have said before, Mr. Arens, I am not going to give this committee, on the grounds previously stated, any meetings that I attended.

Mr. ARENS. Then you had better make your record clear here.

Do you feel if you told this committee whether or not you have a recollection of the events described in that newspaper clipping which is before you, you would be supplying information which might be used against you in a criminal proceeding?

(The witness conferred with his counsel.)

Mr. BATES. It might.

Mr. ARENS. Thank you.

Mr. Chairman, I respectfully suggest that this document which I have displayed to the witness, be appropriately marked and incorporated by reference in the record.

Mr. WILLIS. It may be so marked and incorporated.

(Document marked "Bates Exhibit No. 1," and retained in committee files.)

Mr. ARENS. Did you attend the convention of the Progressive Party in Chicago in 1952?

Mr. BATES. I refuse to answer that question on the grounds previously stated.

Mr. ARENS. Have you been connected as a member, participant, or sponsor of a group fighting for the Rosenbergs and Morton Sobell?

Mr. BATES. Will you make your question a little more specific?

Mr. ARENS. Perhaps it would be more helpful if I displayed to you an invitation we have, the Baltimore Sobell Committee, Post Office Box 7043, Walbrook Street, Baltimore.

On Thursday evening, March 24, 1955, so I understand, this group was assembling for the purpose of participating in a movement to assist Morton Sobell. See if that invitation refreshes your recollection.

Mr. BATES. Recollection of what?

Mr. ARENS. Your participation in the organization.

Mr. BATES. Whether this card refreshes my recollection?

Mr. ARENS. Yes, sir.

(The witness conferred with his counsel.)

Mr. BATES. I can't say that I am refreshed by it.

Mr. ARENS. Do you have a present recollection, irrespective of the source of the recollection, whether it is refreshed by that document or otherwise, of any participation by yourself in a committee to aid Morton Sobell?

(The witness conferred with his counsel.)

Mr. BATES. I refuse to answer the question on the ground previously stated.

(Document marked "Bates Exhibit No. 2," and retained in committee files.)

Mr. ARENS. So that the record is clear—I am not quite sure that we have had an opportunity for a response by yourself to this question—are you at this moment a Communist?

Mr. BATES. I respectfully refuse to answer that question on the previously cited grounds.

Mr. ARENS. Mr. Chairman, I respectfully suggest that concludes the staff interrogation of this witness.

Mr. WILLIS. The witness is excused.

Counsel, call the next witness.

Mr. ARENS. Claire Friedman Round, kindly come forward.

Mr. CADWALADER. I object to the television cameras showing my client.

Mr. ARENS. During the testimony?

Mr. CADWALADER. Yes.

Mr. WILLIS. That is right. We have no control over the witness until the witness is sworn. It is a free country and free press. We will assume control after the swearing, then we invoke the rule.

Please raise your right hand.

Do you solemnly swear that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mrs. ROUND. I do.

**TESTIMONY OF CLAIRE FRIEDMAN ROUND, ACCOMPANIED BY
COUNSEL, THOMAS F. CADWALADER**

Mr. ARENS. Kindly identify yourself, please ma'am, by name, residence, and occupation.

Mrs. ROUND. My name is Claire Round. I live at 2533 Brookfield Avenue.

Mr. ARENS. I will have to request you to raise your voice. It is very difficult to hear you since you are not speaking loudly enough.

Mrs. ROUND. The whole thing?

Mr. ARENS. It will only take a minute.

Mrs. ROUND. My name is Claire Round. I live at 2533 Brookfield Avenue, and I am a housewife.

Mr. ARENS. I want to be sure that your name is reflected accurately in the record. Is it C-l-a-i-r-e?

Mrs. ROUND. That is right.

Mr. ARENS. F-r-i-e-d-m-a-n R-o-u-n-d?

Mrs. ROUND. That is right.

Mr. ARENS. You are appearing today in response to a subpoena served upon you by the House Committee on Un-American Activities?

Mrs. ROUND. That is correct.

Mr. ARENS. You are represented by counsel?

Mrs. ROUND. Yes, I am.

Mr. ARENS. Counsel, will you kindly identify yourself on this record.

Mr. CADWALADER. Thomas F. Cadwalader, member of the Maryland Bar.

Mr. ARENS. Do you know a lady by the name of Irene Barkaga? (The witness conferred with her counsel.)

Mrs. ROUND. Would you repeat the question?

Mr. ARENS. Yes, ma'am. Do you know a lady by the name of Irene Barkaga?

Mrs. ROUND. Sir, I will avail myself of the privilege of the fifth amendment.

Mr. ARENS. I hate to ask you to do it again, but could you raise your voice? This is a large room.

Mrs. ROUND. I will avail myself of my privilege of the fifth amendment and I decline to answer that question.

Mr. ARENS. Irene Barkaga testified yesterday that she knew you as a Communist while she was in the Communist Party. Was she in error, or was she telling the truth?

(The witness conferred with her counsel.)

Mrs. ROUND. I decline to answer for the same reason that was previously stated.

Mr. ARENS. Have you ever been employed as a school teacher?

Mrs. ROUND. Yes, I have.

Mr. ARENS. Where and when, please?

Mrs. ROUND. I taught in 1952 at Elmslane Elementary School.

Mr. ARENS. Is that part of the public school system of Baltimore?

Mrs. ROUND. Yes, it is.

Mr. ARENS. Do you have, or did you at that time have, a teacher's certificate?

Mrs. ROUND. No, I have never had a certificate.

Mr. ARENS. Speak up please, ma'am. I don't want to be offensive, but I want you to keep your voice up.

Mrs. ROUND. What was the question again? I am sorry.

Mr. ARENS. Did you have a teacher's certificate?

Mrs. ROUND. No, I didn't.

Mr. ARENS. Tell us the circumstances pursuant to which you acquired a status as a school teacher in the public school system of Baltimore. How did you happen to be a teacher?

Mrs. ROUND. I graduated from Carlson's State Teachers College and was immediately given, immediately had a teaching position on graduation.

Mr. ARENS. How long did you teach?

Mrs. ROUND. I taught from September until January.

Mr. ARENS. What classes did you have? By that, I mean what grade of students?

Mrs. ROUND. Kindergarten.

Mr. ARENS. Were you a member of the Communist Party as of the time you were teaching these kindergarten students?

(The witness conferred with her counsel.)

Mrs. ROUND. I will decline to answer that question on the grounds previously stated.

Mr. ARENS. You have been identified as a person who was on the Youth Commission of the Communist Party in Baltimore. We should like to have you now avail yourself, if you care to do so, of the opportunity to deny that identification.

Mrs. ROUND. I will decline to answer that question also.

Mr. ARENS. What was your employment immediately after you concluded your work teaching these kindergarten students in the Baltimore public schools?

Mrs. ROUND. I went to work at the Monarch Rubber Co.

Mr. ARENS. How long were you engaged there?

Mrs. ROUND. Approximately 1 year.

Mr. ARENS. Then your next employment, please?

Mrs. ROUND. I was employed at the Associated Jewish Charities.

Mr. ARENS. In what capacity?

Mrs. ROUND. I worked in their statistical office.

Mr. ARENS. For how long, please?

Mrs. ROUND. For approximately a year also.

Mr. ARENS. And your next employment?

Mrs. ROUND. A housewife.

Mr. ARENS. Was your disassociation from the public school system voluntary or involuntary?

Mrs. ROUND. It was completely voluntary.

Mr. ARENS. Were you a member of the Labor Youth League?

Mrs. ROUND. I will refuse to answer that question for the reasons previously stated.

Mr. ARENS. Who is Charles Swan? Do you know a person by that name?

Mrs. ROUND. I refuse to answer that question also.

Mr. ARENS. Can you tell this committee while you are under oath what you have done in pursuit of the objective of peace? Have you been active in certain organizations dedicated to the pursuit of peace? (The witness conferred with her counsel.)

Mrs. ROUND. I will decline to answer that question.

Mr. ARENS. You were one of the leaders in the Baltimore Youth for Peace, were you not?

Mrs. ROUND. I will also decline to answer that question.

Mr. ARENS. Have you been active, or were you active, in the Progressive Party in Baltimore?

(The witness conferred with her counsel.)

Mrs. ROUND. I will also decline to answer that question.

Mr. ARENS. I beg your pardon?

Mrs. ROUND. I said I decline to answer that question.

Mr. ARENS. Why?

Mrs. ROUND. Under the fifth amendment I am granted that privilege.

Mr. ARENS. What privilege?

Mrs. ROUND. Of not being a witness against myself.

Mr. ARENS. Do you honestly feel, young lady, if you told the truth to this committee whether or not you were active in the Progressive Party, you would be supplying information which might be used against you in a criminal proceeding?

(The witness conferred with her counsel.)

Mrs. ROUND. Would you repeat the question, please?

Mr. ARENS. Do you honestly feel that if you told this committee truthfully whether or not you were active in the Progressive Party in the Baltimore area, you would be supplying information which might be used against you in a criminal proceeding?

Mrs. ROUND. Perhaps.

Mr. ARENS. Who is Mr. Sam Schmerler, S-c-h-m-e-r-l-e-r? Do you know him?

Mrs. ROUND. I decline to answer that question for reasons previously stated.

Mr. ARENS. Tell this committee the organizations to which you currently belong, if you please.

(The witness conferred with her counsel.)

Mr. WILLIS. Mr. Counsel, I am afraid we have to move on a bit.

Mr. ARENS. Can you tell us the organizations to which you currently belong?

Mrs. ROUND. I refuse to answer that.

Mr. ARENS. Do you belong to any organizations which are not controlled by the Communist Party?

Mrs. ROUND. I refuse to answer that question also.

Mr. ARENS. Do you belong to any sewing clubs?

Mrs. ROUND. No, I don't belong to any sewing clubs.

Mr. ARENS. Are you this moment a member of the Communist Party?

(The witness conferred with her counsel.)

Mrs. ROUND. I refuse to answer that question.

Mr. ARENS. I respectfully suggest, Mr. Chairman, that will conclude the staff interrogation of this witness.

Mr. WILLIS. The witness is excused.

I will suggest a five minute recess.

(A short recess was taken.)

Mr. WILLIS. The subcommittee will please come to order.

Counsel, call the next witness.

Mr. ARENS. Elsie Winter, kindly come forward.

Mr. WILLIS. Please raise your right hand.

Do you solemnly swear that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mrs. WINTER. I do.

TESTIMONY OF MRS. ELSIE WINTER, ACCOMPANIED BY COUNSEL, FRED E. WEISGAL

Mr. ARENS. Kindly identify yourself by name, residence, and occupation.

Mr. WEISGAL. Mr. Chairman, will you kindly ask the television cameras to be taken off the witness?

Mr. WILLIS. All right.

Mr. ARENS. Kindly identify yourself, please, ma'am.

Mrs. WINTER. My name is Elsie Winter, 5322 Gist Avenue. I work as a typist-clerk for Remington Rand.

Mr. ARENS. You are appearing today in response to a subpoena served upon you by the House Committee on Un-American Activities?

Mrs. WINTER. I am.

Mr. ARENS. You are represented by counsel?

Mrs. WINTER. I am.

Mr. ARENS. Mr. Chairman, at this time I should like to make an announcement with reference to counsel's appearance here, namely, that this witness a day or so ago announced to me that she had a counsel who, for reasons of his own, declined to appear today.

As is the custom of the committee, we permit witnesses as a matter of privilege, not as a matter of right, to have counsel.

This young lady said she wanted counsel. So at the suggestion of someone who was present, I personally solicited the gentleman who is now appearing here, Mr. Fred W. Weisgal of the Baltimore Bar, who was present at that time in the court and whom I asked to represent this young lady.

He is doing so in response to my request.

Mr. WILLIS. We are very grateful to you for this service.

Mr. ARENS. Mr. Weisgal, will you identify yourself on this record?

Mr. WEISGAL. Fred E. Weisgal, W-e-i-s-g-a-l, Baltimore, Md.

Mr. ARENS. Are you Miss or Mrs.?

Mrs. WINTER. Mrs.

Mr. ARENS. Do you know a person by the name of Charles Craig, C-r-a-i-g?

(The witness conferred with her counsel.)

Mrs. WINTER. I refuse to answer that question on the privilege of the fifth amendment that it may incriminate me.

Mr. ARENS. Mr. Craig testified this morning he knew you as a Communist. Was he in error, or was he telling the truth?

Mrs. WINTER. I refuse to answer that question on the same grounds.

Mr. ARENS. To what organizations do you now belong, exclusive of any organization which may be either Communist or under Communist control?

(The witness conferred with her counsel.)

Mrs. WINTER. I refuse to answer that question on the same grounds.

Mr. ARENS. I think I had better make this clear to you: To what organizations, if any, do you presently belong besides organizations which are controlled by the Communist Party?

Mrs. WINTER. I refuse to answer on the same—

Mr. ARENS. I respectfully suggest you consult with your counsel on that.

(The witness conferred with her counsel.)

Mr. WILLIS. I take it that this answer is for general information only; is that right?

Mr. ARENS. The reason for the question, Mr. Chairman, is because we have had friendly witnesses who have told us repeatedly, in the course of the last 3 days, of the directions by the Communist Party to the comrades to penetrate non-Communist and anti-Communist organizations, including such innocent sounding groups or innocent groups—I am sure patriotic groups—as every community has.

(The witness conferred with her counsel.)

Mrs. WINTER. I belong to the PTA. My children go to school.

Mr. ARENS. How long have you belonged to the PTA?

Mrs. WINTER. As long as my children have been in school.

Mr. ARENS. Has that been a matter of some few years?

Mrs. WINTER. Yes, just about 7 years.

Mr. ARENS. Have you ever held an office in the PTA?

Mrs. WINTER. No.

Mr. ARENS. Have you ever served on committees in the PTA?

Mrs. WINTER. Yes.

Mr. ARENS. What committees have you served on in the PTA?

Mrs. WINTER. The fun festival to raise money for the schools.

Mr. ARENS. Where do you belong to the PTA?

Mrs. WINTER. Arlington School and 49.

Mr. ARENS. I would like to ask you to raise your voice, please.

Mrs. WINTER. It is Arlington School and 49.

Mr. ARENS. May I repeat it and see if it is correct. Did you say Arlington school and school 49?

Mrs. WINTER. That is right.

Mr. ARENS. Those are groups in this community in Baltimore?

Mrs. WINTER. That is right.

Mr. ARENS. I don't expect an affirmative answer, but I want to clear the record. Is your membership in the PTA at the direction of any person known by you to be a member of the Communist Party?

(The witness conferred with her counsel.)

Mrs. WINTER. No.

Mr. ARENS. Is the Communist Party or any person in the Communist Party in consultation with you with respect to any of your activities in the PTA?

Mr. WEISGAL. Would you mind repeating the question, please?

Mr. ARENS. Have you in the recent past been in consultation with any person known by you to be a Communist with respect to your activities, membership, in the PTA?

(The witness conferred with her counsel.)

Mrs. WINTER. I refuse on the same ground as before.

Mr. ARENS. Are there any other organizations of comparable disposition or comparable makeup to the PTA to which you belong? By that I mean non-Communist organizations.

Mrs. WINTER. I can't think of any.

Mr. ARENS. Just one final question. Are you this moment a member of the Communist Party?

(The witness conferred with her counsel.)

Mrs. WINTER. I refuse on the same grounds.

Mr. ARENS. Mr. Chairman, I respectfully suggest that concludes the staff interrogation of this witness.

Mr. WILLIS. Call the next witness.

Mr. ARENS. Miss Mitzi Freishtat Swan, kindly come forward.

Mr. Chairman, I have been reminded that the counsel for Miss Swan earlier today requested, because of her physical condition, the she be deferred. So I believe this record reflects that she was deferred. It slipped my mind. I am sorry for having called her at this time.

Herbert Nichol, will you kindly come forward.

Mr. WILLIS. Please raise your right hand. Do you solemnly swear that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. NICHOL. I do.

Mr. LEWIS. May I request that the television be turned off?

Mr. WILLIS. All right, sir.

TESTIMONY OF HERBERT NICHOL, ACCOMPANIED BY COUNSEL, ROBERT LEWIS

Mr. ARENS. Please identify yourself by name, residence, and occupation.

Mr. NICHOL. My name is Herbert Nichol. I live at 806 Cliff Edge Road, Baltimore 8. I am a private schoolteacher of mathematics.

Mr. ARENS. Where are you employed as a private schoolteacher, Mr. Nichol?

Mr. NICHOL. I would prefer not to answer that unless it is material, but I will.

Mr. ARENS. You are requested to answer it: yes, sir.

Mr. NICHOL. At the Boys' Latin School.

Mr. ARENS. Is that in Baltimore?

Mr. NICHOL. Yes.

Mr. ARENS. You are appearing here today in response to a subpoena served on you by the House Committee on Un-American Activities?

Mr. NICHOL. Yes, sir.

Mr. ARENS. You are represented by counsel?

Mr. NICHOL. Yes, sir.

Mr. ARENS. Counsel, will you kindly identify yourself on the record.

Mr. LEWIS. Robert Lewis, offices at 11 East 51st Street, New York.

Mr. ARENS. Where and when were you born?

Mr. NICHOL. I was born in Philadelphia, March 28, 1913.

Mr. ARENS. Give us, if you please, a word of your formal education.

Mr. NICHOL. I went to grammar school in Philadelphia, high school in Philadelphia, and to college.

Mr. ARENS. What college did you attend?

Mr. NICHOL. Haverford College.

Mr. ARENS. In Pennsylvania?

Mr. NICHOL. Right.

Mr. ARENS. You graduated in 1934?

Mr. NICHOL. Yes.

Mr. ARENS. What degree did you receive?

Mr. NICHOL. Bachelor of arts.

Mr. ARENS. Did that complete your formal education?

Mr. NICHOL. That did.

Mr. ARENS. Tell us, if you please, the principal employment you have had since you completed your formal education.

Mr. NICHOL. Well, I was employed for almost a year. Then I worked for an insurance company in Philadelphia as an actuarial clerk for approximately 2½ years.

Mr. ARENS. What firm was that?

Mr. NICHOL. The Penn Mutual Life Insurance Co.

Mr. ARENS. Was that in Philadelphia?

Mr. NICHOL. Yes.

Mr. ARENS. What was your next employment?

Mr. NICHOL. Then I worked for the Department of Public Assistance in Philadelphia.

Mr. ARENS. In what capacity?

Mr. NICHOL. As a social worker.

Mr. ARENS. For how long?

Mr. NICHOL. Two, 2½ years; something like that.

Mr. ARENS. And your next employment?

Mr. NICHOL. Then I was unemployed for awhile. Then I was employed by the CIO as a secretary in the Wilmington, Del., office.

Mr. ARENS. For what organization?

Mr. NICHOL. For the National CIO.

Mr. ARENS. When did that employment begin?

Mr. NICHOL. I believe in 1940 or 1941; somewhere around there.

Mr. ARENS. How long did it endure?

Mr. NICHOL. Until 19— the war ended in 1945, until approximately the spring of 1946 with the exception of my service in the United States Army.

Mr. ARENS. What did you do as an employee of this labor organization in Wilmington?

Mr. NICHOL. My chief duties were secretary to the regional director.

Mr. ARENS. Who was he?

Mr. NICHOL. Well, there were various ones.

Mr. ARENS. Who were the principal ones you recall?

Mr. NICHOL. The first man I served under was a man by the name of Hodson. I don't recall his first name completely.

Mr. ARENS. May I inquire here so that the record is clear, when was your term of service interrupted in order that you could serve or did serve in the military?

Mr. NICHOL. I was inducted in the Army I believe in July of 1942, and I was discharged either the end of November or beginning of December 1946.

Mr. ARENS. I take it, then, you immediately resumed your employment.

Mr. NICHOL. Not until January. I took a month's rest.

Mr. ARENS. Did you have a commission in the Army?

Mr. NICHOL. No, sir.

Mr. ARENS. Where did you serve?

Mr. NICHOL. In the Central Pacific and the Far Eastern Theater.

Mr. ARENS. In the Infantry?

Mr. NICHOL. Yes.

Mr. ARENS. Did you receive an honorable discharge?

Mr. NICHOL. Yes.

Mr. ARENS. Were you a member of the Communist Party while you wore the uniform of this Government?

Mr. NICHOL. Well, sir, I think in view of the constitutional rights that protect me against inquiry into my associations or beliefs under the first amendment and also my right not to be a witness against myself, that I decline under both the first and fifth amendments.

Mr. ARENS. All right, pick up your employment chronology there, if you please—

Mr. NICHOL. 1946?

Mr. ARENS. After 1946, when you had concluded this term of service in Wilmington, with the labor organization.

Mr. NICHOL. Then I went to work with a few weeks' vacation for the United Electrical Workers, a CIO union.

Mr. ARENS. You worked for UE?

Mr. NICHOL. That is right.

Mr. ARENS. I want to get the dates of that employment.

Mr. NICHOL. In the spring of 1946 until January 1956.

Mr. ARENS. Where did you work and in what capacity?

Mr. NICHOL. I worked first in Wilmington, Del.

Mr. ARENS. This is as an organizer for UE?

Mr. NICHOL. Field representative; yes.

Mr. ARENS. Where was that?

Mr. NICHOL. In Wilmington, Del., first. Then for a short time in the district office, out of the district office in Philadelphia.

Then for a couple of weeks I believe in Allentown, Pa.; for several years in Lancaster, Pa., and then finally in Baltimore, Md.

Mr. ARENS. What plants did you have access to as an organizer for UE?

Mr. NICHOL. What do you mean, access?

Mr. ARENS. UE had contracts at that time with a number of establishments, heavy industry here on the eastern seaboard and as far in as Pittsburgh. What plants did you try to organize or work in during your organizational functions for UE?

Mr. NICHOL. Well, in Allentown, which was—in Wilmington, I serviced the local in a fiber plant.

Mr. ARENS. What was the name of it? Do you recall?

Mr. NICHOL. I believe it was—frankly, I don't remember the name.

Mr. ARENS. All right, sir, if you don't remember the name, kindly give us the next one.

Mr. NICHOL. In Allentown I worked for a very short time on an organizing campaign at a small newly opened Western Electric plant, but only for a short time. There were very few people there when I worked on the campaign. It later became a big plant.

Mr. ARENS. The next, please, sir?

Mr. NICHOL. In Lancaster my main duties were servicing the local of the union and the RCA television plant just outside of Lancaster.

There was another small plant, machine shop, where I did some service.

In Baltimore, when I came here, my main duties were servicing our local at Westinghouse plant in the city of Baltimore and in Lansdowne, which is a suburb of Baltimore.

Mr. ARENS. Who was your supervisor or person to whom you reported in your work?

Mr. NICHOL. The director of organization of our union.

Mr. ARENS. What is his name?

Mr. NICHOL. James Matles.

Mr. ARENS. Did you and James Matles belong to any organization together?

Mr. NICHOL. We belonged to the union.

Mr. ARENS. Any other organizations of which you and he were members?

Mr. NICHOL. What organizations?

Mr. ARENS. The Communist Party.

Mr. NICHOL. Sir, I decline to answer that on the previous grounds stated.

Mr. ARENS. Were you a member or working for UE when it was ejected from the CIO? When was the UE ejected from the CIO?

Mr. NICHOL. I believe in 1949. We were not ejected. We withdrew.

Then later the CIO considered that tantamount to being expelled.

Mr. ARENS. The CIO found after its own investigation and inquiry that the UE was loyal to a foreign power, that it was in effect controlled by the Communist Party; is that not true?

Mr. NICHOL. Sir, I don't know that that is so. I don't recall any investigation having been held.

Mr. ARENS. What was your next employment?

Mr. NICHOL. My next employment was my present employment.

Mr. ARENS. How did you happen to procure this next employment?

Mr. NICHOL. Through a professional employment agency.

Mr. ARENS. Did you have a teacher's license of some kind?

Mr. NICHOL. I do not have a teacher's license, sir.

Mr. ARENS. Who actually helped you procure this job at the Boys' Latin School?

Mr. NICHOL. Professional employment agency, sir.

Mr. ARENS. How many boys do you have under your tutelage?

Mr. NICHOL. Approximately 85.

Mr. ARENS. Do they receive your instruction regularly, every school day?

Mr. NICHOL. Most every day.

Mr. ARENS. Is this a full-time school?

Mr. NICHOL. Yes, sir.

Mr. ARENS. What is the average age group of the boys who are under your supervision?

Mr. NICHOL. High-school age.

(The witness conferred with his counsel.)

Mr. NICHOL. I teach mathematics to all boys in the high school in that school.

Mr. ARENS. Is that a private institution here?

Mr. NICHOL. A private school, sir.

Mr. ARENS. Do you have any supervision over the boys in any extracurricular work, any clubs, YMCA work, or anything of that character?

Mr. NICHOL. No, sir. We do not have such things at our school.

Mr. ARENS. Do the boys have any social organizations in connection with this institution?

Mr. NICHOL. I believe they have parties together and social affairs.

Mr. ARENS. Have you been, or are you, a sponsor of any of the parties or clubs?

Mr. NICHOL. No, sir.

Mr. ARENS. How long have you been actually engaged in this school?

Mr. NICHOL. Since the end of January 1946.

Mr. ARENS. Since the end of January 1956?

Mr. NICHOL. 1956.

Mr. ARENS. Considerably over a year?

Mr. NICHOL. Yes, sir.

Mr. ARENS. Have you had two complete classes of boys under your tutelage?

Mr. NICHOL. I teach all of the boys from the last part of the eighth grade through the twelfth grade.

Mr. ARENS. You taught through 1956?

Mr. NICHOL. That is correct.

Mr. ARENS. Now, we are in 1957. Do you have a new group of boys?

Mr. NICHOL. The eighth-grade boys.

Mr. ARENS. How many boys in the aggregate since you began teaching at that institution have been under your tutelage?

Mr. NICHOL. Perhaps a hundred.

Mr. ARENS. That is in the aggregate, both years?

Mr. NICHOL. That is right, because the graduating class has about 15 boys and the new class has about—

Mr. ARENS. Who is the immediate supervisor at the institution?

Mr. NICHOL. The headmaster.

Mr. ARENS. His name?

Mr. NICHOL. Mr. Frederick Hahn.

Mr. ARENS. Have you had any conversation with him since you received your subpoena to appear before this committee?

Mr. NICHOL. Yes, sir.

Mr. ARENS. Has he interrogated you as to whether or not you are a member of the Communist Party?

(The witness conferred with his counsel.)

Mr. NICHOL. Sir, I think that question is entirely immaterial to the matter at hand.

Mr. ARENS. It is exceedingly material. I respectfully suggest that you answer the question.

Mr. NICHOL. I will have to decline on the grounds I have previously stated, of the first and fifth amendment.

Mr. ARENS. Did you deny to the headmaster that you are or ever have been a member of the Communist Party?

Mr. NICHOL. I decline to answer that on the grounds previously stated, in view of the fact that I think it is immaterial—

Mr. ARENS. We want to get the record clear on this point. You recognize, sir, you are under oath, do you not?

Mr. NICHOL. Yes, sir.

Mr. ARENS. You recognize the potential liability of yourself, or any witness, who may misrepresent to this committee deliberately on a material fact?

Mr. NICHOL. Yes.

Mr. ARENS. After your release from oath before this committee, do you intend to return to the school and announce to the headmaster and to the governing body, "Of course I am not a Communist, but for a number of reasons I was not going to tell that Committee on Un-American Activities that I am not a Communist." Do you intend to do that?

Mr. NICHOL. Sir, I have not given thought to what I intend to do.

Mr. ARENS. Do you know a person by the name of Ernest Moyer?

Mr. NICHOL. Ernest Moyer was at one time a district president of the UE, district 1, in which I worked.

Mr. ARENS. I want to read you some testimony. A couple of years ago I was director of the Internal Security Subcommittee of the Senate Judiciary Committee and I was interrogating under oath a man by the name of Ernest Moyer. Here are the questions and answers. He was then listing people known by him to be members of the Communist Party.

We will proceed along with the questions. Here are Mr. Moyer's answers:

Herbert Nichol. He is a field organizer for UE in Baltimore, Md.

Mr. ARENS. Is he there now, or in the recent past was he there?

Mr. MOYER. He was there when I left the UE.

Mr. ARENS. That was in 1950?

Mr. MOYER. 1955.

Mr. ARENS. Do you have any additional information with reference to Mr. Nichol?

Mr. MOYER. No, outside of the fact he attended UE Communist Party caucuses.

Mr. ARENS. Did you attend party caucuses with him?

Mr. MOYER. In UE?

Mr. ARENS. Yes.

Mr. MOYER. Yes, sir.

Mr. ARENS. And do you say he is a person, to your certain knowledge, who was a member of the Communist Party?

Mr. MOYER. Yes, sir.

You have heard the testimony of Mr. Moyer which was given under oath before a congressional committee. Do you care now, while you are under oath, so that you can go back and have it on this record to present to the headmaster of the school—do you care now to deny that testimony while you are under oath, sir?

Mr. NICHOL. My recollection of Mr. Moyer was that he left our union under a cloud for having misused union funds and for being a confirmed alcoholic. I therefore feel that his testimony is to be considered in that light.

Mr. ARENS. Then stand up like a red-blooded American and deny that you are a member of the Communist Party. [Applause.]

Mr. WILLIS. We will not have any such outburst in the courtroom either favorable or adverse to any witness. This must be enforced.

Mr. ARENS. Will you kindly answer the question?

Mr. NICHOL. I think that my service in the Army speaks for itself as regards my Americanism and conduct as a citizen.

I respectfully decline, however, under the circumstances surrounding this whole hearing, and so forth, under the first and fifth amendments to answer that question.

Mr. ARENS. Does that circumstance, which is surrounding you now, encompass the fact that you are presently under oath before a congressional committee, or is this not an element which you are taking into consideration?

Mr. NICHOL. The whole situation under which the——

Mr. WILLIS. What circumstances surrounding this committee's hearing influence you in your testimony?

Mr. NICHOL. Sir, I have heard it implied here as I sat here this morning waiting to be called that even membership in a parent-teachers association where one's children go to school might be a link in a subversive chain. Now, if such circumstances exist——

Mr. WILLIS. Who made that implication? Certainly not this committee.

Mr. NICHOL. The director in questioning the previous witness.

Mr. ARENS. You know as well as you know you are alive that that is completely fabricated out of whole cloth. You heard me say the testimony under oath here is that Communists are under orders to go into non-Communist organizations.

Mr. NICHOL. I said——

Mr. WILLIS. It is a very kind act to the PTA on the part of counsel, I can assure you. That witness happened to be a member of the PTA according to her own testimony. Naturally the question in fairness to that very organization had to be asked.

Now, speaking about yourself, what is it that surrounds you today by this committee that influences your testimony?

Mr. NICHOL. The circumstances that things are imputed which I feel do not have a fair opportunity to be clarified to their full extent, witnesses cross-examined, and so forth, as to their testimony, and therefore, I think I would be compromising my right under the first and fifth amendments to answer this question.

Mr. WILLIS. It was a simple question that was asked you, the last one.

Mr. NICHOL. I decline under the first and fifth amendments, sir.

Mr. WILLIS. You cannot pussyfoot on that. Counsel read you from sworn testimony by a witness who, if he misrepresented the facts, is subject, just as you are subject, to perjury prosecution.

Now, you are under oath and you were asked a simple question: Did that witness tell the truth, or did he misrepresent the facts?

It seems to me one thing you owe to yourself, especially when you imply he is the kind of witness who perhaps should not be believed, is that you now come forward and say he told a lie or told the truth. That is the only question that has been asked you. Do you want to answer it?

Mr. NICHOL. I decline to answer it, sir, on the grounds of the reasons given.

Mr. ARENS. Do you know a person by the name of Mary Markward?

Mr. NICHOL. I decline to answer on the grounds previously stated.

Mr. ARENS. She likewise took an oath before this committee in 1951 and stated that while she was an undercover agent in the Communist Party at the behest of the Federal Bureau of Investigation, she knew you as a Communist. Do you want to attack her character or do you want to deny it, or what do you want to say about it?

Mr. NICHOL. What question are you asking me, sir?

Mr. ARENS. Was Mary Markward telling the truth when she took an oath before this committee and identified you as a person who to a certainty was known by her to be a member of the Communist Party?

Mr. NICHOL. I decline to answer on the grounds of the first and fifth amendments.

Mr. WILLIS. Did you know such a person?

Mr. NICHOL. I decline to answer on the first and fifth amendments.

Mr. WILLIS. Well, that person who took an oath was working for the Federal Bureau of Investigation. Do you have anything against her character?

Mr. NICHOL. Sir, my experience in the labor movement leads me to the conclusion that many people take oaths about many things for many reasons, some of which are valid and some of which are not, and when such testimony is involved it is very hard to establish one way or another their motives, the truth of their testimony, and so forth, and, therefore, I decline to answer these questions.

Mr. WILLIS. You would include in that category of people, persons who have been investigated by the Federal Bureau of Investigation? Do you know of a finer American organization? If you cannot trust the Federal Bureau of Investigation, whom are you going to trust? Do you think it has false motives in trying to protect this country? You brought that up. I did not.

Mr. NICHOLS. I am just telling you why I decline to answer, sir.

Mr. WILLIS. That answer does not make much sense to this instance.

Mr. ARENS. So the record is clear, are you now, this moment, sir, a member of the Communist Party?

Mr. NICHOLS. I decline to answer on the grounds previously stated.

Mr. ARENS. Mr. Chairman, I respectfully suggest we conclude the staff interrogation of this witness.

Mr. WILLIS. We will take a 5-minute recess.

(A short recess was taken.)

Mr. WILLIS. The subcommittee will be in order.

Counsel, please call the next witness.

Mr. ARENS. The next witness, if you please, Mr. Chairman, is Marcella Avnet, A-v-n-e-t.

Mr. LEVINE. I would like to protest against television, as well as the skilled photographs. I heard what Your Honor said, but I think if Your Honor should ask the press to desist until the hearing, that they will probably do it.

Mr. WILLIS. We have no control over TV or the press, photographers, or anyone else until the witness has been sworn and is within our jurisdiction.

Please raise your right hand.

Do you solemnly swear that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mrs. AVNET. I do.

**TESTIMONY OF MRS. MARCELLA HALPER AVNET, ACCOMPANIED
BY COUNSEL, HARRY O. LEVINE**

Mr. ARENS. Kindly identify yourself by name, residence, and occupation.

Mrs. AVNET. I have a statement to file. Do I file it now?

Mr. WILLIS. The rule with regard to the taking of photographs during testimony will be enforced. The counsel has asked for it.

Mr. LEVINE. Thank you.

Mr. ARENS. Will you kindly identify yourself by name, residence, and occupation?

Mrs. AVNET. I have a statement to file. Do I do it now?

Mr. ARENS. The rules of the committee provide that statements must be filed in advance with the committee and it will be taken under advisement by the committee.

So if you care to do so, you may file your statement and it will be taken under advisement by the committee.

Mrs. AVNET. To whom do I give this, sir?

Mr. ARENS. Mr. Bonora, would you kindly receive it? Will you kindly identify yourself by name, residence, and occupation?

Mrs. AVNET. Marcella Avnet, 3900 block of Mortimer Avenue.

Mr. ARENS. I wonder if I could impose upon you to repeat that. The acoustics here are not too good.

Mrs. AVNET. Marcella Avnet, 3900 Mortimer Avenue.

Mr. ARENS. In Baltimore?

Mrs. AVNET. Correct.

Mr. ARENS. Are you Miss or Mrs.?

Mrs. AVNET. Mrs.

Mr. ARENS. You are appearing today, Mrs. Avnet, in response to a subpoena served upon you by the House Committee on Un-American Activities?

Mrs. AVNET. That is correct.

Mr. ARENS. You are represented by counsel?

Mrs. AVNET. Yes, sir.

Mr. ARENS. Counsel, will you kindly identify yourself on this record?

Mr. LEVINE. Harry O. Levine, L-e-v-i-n-e, Madison Building, member of the Maryland bar.

Mr. ARENS. I will not ask you when you were born, but I will ask you where you were born.

Mrs. AVNET. I appreciate the first—I don't know what you call it. Anyhow, I was born in New York City.

Mr. ARENS. What was your maiden name, please?

Mrs. AVNET. Marcella Halper.

Mr. ARENS. Give us just a word about your formal education.

Mrs. AVNET. I graduated from elementary school, from high school. I have a bachelor's degree from Hunter College.

However, while I attended there during my junior year I attended Rollins College, in Winter Park, Fla.

Mr. ARENS. Would it be convenient for you to raise your voice? It is difficult to hear you.

Mrs. AVNET. I graduated from elementary school, from high school, from Hunter College. I received a B. A. degree.

However, in my junior year I attended Rollins College, in Winter Park, Fla.

I also attended one summer Cornell University. Upon graduation from Hunter College I took courses at New York University, Columbia University, City College, and also Hunter College.

Mr. ARENS. What degrees did you receive, please?

Mrs. AVNET. I have a bachelor's degree in art. I also have the equivalent of bachelor's degree in business administration.

Mr. ARENS. When did you complete your formal education?

Mrs. AVNET. I don't know what you consider formal education because I am going to school now.

Mr. ARENS. You are still pursuing your education?

Mrs. AVNET. Yes. I intend to for a long time.

Mr. ARENS. When did you complete your full-time studying in these various schools to which you have alluded? Give us your best recollection.

Mrs. AVNET. It is a long time ago.

Mr. ARENS. Was it in the early thirties?

Mrs. AVNET. I presume that is close enough.

Mr. ARENS. Tell us the first principal occupation which you had after you had completed your full-time pursuit of your education.

Mrs. AVNET. I was a school teacher.

Mr. ARENS. Where did you teach school?

Mrs. AVNET. In New York City.

Mr. ARENS. Where, in New York City?

Mrs. AVNET. Junior high school. Oh, during that time it was very hard to get a job. I taught in many schools. It was during the depression.

Mr. ARENS. Tell us about your principal teaching in the public school system in New York City.

Mrs. AVNET. I taught in the junior high school.

Mr. ARENS. What school?

Mrs. AVNET. Public School No. 12.

Mr. ARENS. What courses did you teach?

Mrs. AVNET. Commercial work. I am sorry, I taught a lot of subjects because at that time you were a substitute teacher and you were called on to teach practically anything. When a teacher was absent if you were lucky enough you got the job and you taught.

Mr. ARENS. Tell us in your own words, when did you teach, what did you teach, and in what institutions did you teach?

Mrs. AVNET. It is a long time ago. If I fail to remember some of them, I know I am under oath, I hope you won't hold it against me.

Mr. ARENS. We want your best recollection, please.

Mr. AVNET. Junior High School 12; Theodore Roosevelt High School.

Mr. ARENS. I take it all of these are in New York City?

Mrs. AVNET. All of them are in New York City. Is that sufficient? Do you still want the names of all?

Mr. ARENS. Yes, ma'am.

Mrs. AVNET. Jewish Evening High. I am not really certain of all these names; it is long ago.

Richmond High School, Girls High School.

At this moment that is all I can remember. I may have taught elsewhere, though, I want to make that clear.

Mr. ARENS. You mean elsewhere in New York City?

Mrs. AVNET. Yes.

Mr. ARENS. Have you taught any place besides New York City?

Mrs. AVNET. Yes, I have.

Mr. ARENS. Where was that?

Mrs. AVNET. In Baltimore.

Mr. ARENS. When? Give us your best recollection.

Mrs. AVNET. About 25 years ago, I would say.

Mr. ARENS. Was that immediately after your teaching engagements in New York City?

Mrs. AVNET. No; it was long, long after.

Mr. ARENS. Did you have any teaching activities after your teaching activities in New York City, but before your teaching activities in Baltimore?

Mrs. AVNET. None whatsoever.

Mr. ARENS. Did you have any principal employment after your teaching activities terminated in New York City?

Mrs. AVNET. What do you mean by principal employment, sir?

Mr. ARENS. Any full-time job?

Mrs. AVNET. You mean I was paid for?

Mr. ARENS. Yes. Tell us about them, please. Just the principal employments.

(The witness conferred with her counsel.)

Mrs. AVNET. I was a secretary.

Mr. ARENS. Where was that?

Mrs. AVNET. Baltimore.

Mr. ARENS. How long after you terminated your teaching activities in New York did you move to Baltimore?

Mr. WILLIS. When did you move to Baltimore?

Mrs. AVNET. Twelve years ago.

Mr. ARENS. How long after you completed your teaching in New York City did you move to Baltimore? Was there an interval there, or did you come immediately to Baltimore?

Mrs. AVNET. I came immediately to Baltimore.

Mr. ARENS. Then did you assume this secretarial position here in Baltimore?

Mrs. AVNET. No, not immediately.

Mr. ARENS. How long was it after you were here in Baltimore that you assumed this secretarial position?

Mrs. AVNET. Seven years.

Mr. ARENS. Did you at any time in that 7-year period have any principal employment activities?

Mrs. AVNET. Not that I recall. If I have the years correct. If I have the period correct. It is to the best of my knowledge.

Mr. ARENS. How long did you maintain this secretarial position to which you have referred?

Mrs. AVNET. A short while.

Mr. ARENS. A matter of a year or so, or less than a year?

Mrs. AVNET. Less, I would say.

Mr. ARENS. Was it a matter of 6 months?

Mrs. AVNET. About.

Mr. ARENS. Then what was your next position?

Mrs. AVNET. Secretary again.

Mr. ARENS. And in what establishment?

Mr. AVNET. Multi-Service.

Mr. ARENS. How long were you engaged there, please?

Mrs. AVNET. It probably sounds ridiculous that I don't remember these things, but I don't keep a diary.

Mr. ARENS. Not at all. It is difficult sometimes to recall specific events over the course of many years. I just want your best recollection.

Mrs. AVNET. All right. A couple of years, I would say.

Mr. ARENS. And your next employment?

Mrs. AVNET. Office manager, I suppose you would call it.

Mr. ARENS. What enterprise or organization?

Mrs. AVNET. You know, I skipped one. I was a teacher in Baltimore which I mentioned before and I did not put that in where I was supposed to.

Mr. ARENS. Tell us where and when you taught?

Mrs. AVNET. I mentioned before that I taught about 5 years ago in Baltimore.

Mr. ARENS. And for how long did you teach?

Mrs. AVNET. Not long. It was less than a year.

Mr. ARENS. Where did you teach?

Mrs. AVNET. Bais Yaakov School for Girls, a parochial school.

Mr. ARENS. Is it run by the Catholic Church?

Mrs. AVNET. No, it is a Jewish parochial school.

Mr. ARENS. How many students did you have there?

Mrs. AVNET. You mean the total number?

Mr. ARENS. Yes.

Mrs. AVNET. I would say 30.

Mr. ARENS. What did you teach there?

Mrs. AVNET. Seventh-, eighth-, ninth-year English, Latin; seventh-, eighth-, ninth-year math; music and sewing, if I recall correctly.

Mr. ARENS. Did you at any time superintend or visit the young ladies in extracurricular activities.

Mr. AVNET. No.

Mr. ARENS. What caused your disassociation from this parochial school?

Mrs. AVNET. I don't want to cast any reflection on the school, because I think very highly of it, but the reason that I discontinued teaching there, although they wished me to continue to teach, was that they don't pay on time. That was the reason. It takes a long time.

Mr. ARENS. Was the disassociation entirely voluntary on your part?

Mrs. AVNET. I am sorry?

Mr. ARENS. Was your disassociation from the institution entirely voluntary on your part?

Mrs. AVNET. Definitely, because I needed the money.

Mr. ARENS. Now, your next employment, please, ma'am.

Mrs. AVNET. Well, Multi-Service, I believe, was the next one.

Mr. ARENS. How long were you engaged in Multi-Service?

Mrs. AVNET. A couple of years, I think I said.

Mr. ARENS. And your next employment?

Mrs. AVNET. Office manager.

Mr. ARENS. For what organization or company?

(The witness conferred with her counsel.)

Mr. ARENS. Do you understand there is a question outstanding?

Mrs. AVNET. Yes, I was consulting counsel, sir.

Mr. ARENS. Go right ahead.

Mrs. AVNET. I refuse to answer the question on the following grounds:

One, that the question in this hearing exceeds the boundaries of the legislative inquiry and is, therefore, in violation of the first, second and third articles of the United States Constitution;

Two, that the question violates the first amendment of the United States Constitution because it invades my right to freedom of speech, press, and assembly.

Three, that the question is violative of the fifth amendment because it would compel me to act as a witness against myself, and the answer might tend to incriminate me.

On the last point, since there has been such screaming headlines about the fifth amendment, I would like to make this point clear: that in no way does the use of the fifth amendment have any sinister or evil meaning attached to it. That as far as I believe there is no confession of guilt to the fifth amendment.

This is not only my own thinking; this has been the decision of the United States Supreme Court, the highest ruling body in this

country of ours, in the Slochower case against the board of higher education in the city of New York.

Mr. ARENS. Do you know a person by the name of Charles Craig?

Mr. AVNET. I refuse to answer the question on the three grounds which I stated.

Mr. ARENS. Charles Craig this morning, while he was testifying under oath, recited that he had been a member of the Communist Party serving his Government. While he was under oath, he said that he knew you as a member of the Communist Party.

Do you care now to avail yourself of the opportunity to deny that identification?

Mrs. AVNET. I will avail myself of the opportunity under the Constitution and refuse to answer that question on the three grounds which I have previously stated.

Mr. ARENS. Do you know a person by the name of Dorothy K. Funn?

Mrs. AVNET. I refuse to answer that question on the three grounds previously stated.

Mr. ARENS. She likewise took an oath before this committee in 1953, laid her liberty on the line by saying that she knew to a certainty that you were a member of the Communist Party.

Do you care now to avail yourself of the opportunity, while you are under oath, to deny that you were a member of the Communist Party?

Mrs. AVNET. I refuse to answer that question on the same three grounds previously stated.

Mr. ARENS. Were you a member of the Communist Party while you were in the public-school system in New York City?

Mrs. AVNET. I refuse to answer that question on the same grounds.

Mr. ARENS. Were you a member of the Communist Party while you were teaching at this parochial school in the Baltimore area?

Mrs. AVNET. I refuse to answer that question on the same grounds.

Mr. ARENS. Are you now a member of the Communist Party?

Mrs. AVNET. I refuse to answer that question on the same grounds.

Mr. ARENS. I should like to display to you, please, a photostatic reproduction of two documents. They are on the same photostat. The first is an application for a post office box for the Committee to Defeat the Smith Act.

The applicant is Mary Roberts. She gives as one of the references yourself, Marcella Avnet. Then we see here accompanying it a signature of Marcella Avnet and a statement, in which Marcella Avnet says that the applicant is trustworthy and responsible, on the verification of reference of applicant for box of the organization, the Committee to Defeat the Smith Act.

Would you kindly accommodate this Committee on Un-American Activities which is trying to protect internal security by verifying the authenticity of your signature on these documents?

(The witness conferred with her counsel.)

Mrs. AVNET. I refuse to answer that question on the three grounds previously stated.

(Documents marked "Avnet Exhibit No. 1," follows:)

AVNET EXHIBIT No. 1

Form 3000
(Rev. 9-52)

APPLICATION FOR POST OFFICE BOX

25 1952

The undersigned hereby applies for the use of a box in the post office at Baltimore, Station and agrees to comply with the postal regulations and rules relative to the renting and use of post office boxes.

If the box is rented for a corporation, the applicant should write on the lines below the name of the corporation; if for a firm, the name of the firm and the full name of each of its members whose mail is to be placed in the box.

Committee to Defeat the Smith Act

Signature of applicant Mary Roberts

Character of business Housewife

Business address None

Residence address 3800 W. Harrison Ave

References:

Marvin Baumstein 4821 Cordelia Ave

Marcella Arnet 3911 Mosimer

Assigned Box No. 2542 No. of A 51614

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VERIFICATION OF REFERENCE OF APPLICANT FOR BOX

Baltimore, Md. UNITED STATES POST OFFICE

25 1952

Marcella Arnet

An application for a post office box has been filed at this office with your name as reference by:

Name of applicant Mary Roberts

Character of business Housewife

Business address None

Residence address 3800 W. Harrison Ave

Will you kindly advise this office if, in your judgment, the applicant is responsible and trustworthy?

Responsible & Trustworthy

Marcella Arnet

(Signature of reference)

Mr. ARENS. Do you know the person who gives you as a reference, according to this document, and concerning whose trustworthiness and character and responsibility you attest? Can you tell us whether you know her?

Mrs. AVNET. I refuse to answer that on the three grounds previously stated.

Mr. ARENS. Can you tell us about this Committee to Defeat the Smith Act, the anti-Communist Act? Do you have any knowledge or information presently respecting that organization?

Mrs. AVNET. I refuse to answer that question on the three grounds previously stated.

Mr. ARENS. Are you now a member of the PTA?

Mrs. AVNET. I am.

Mr. ARENS. To what PTA do you belong?

Mrs. AVNET. Two of them.

Mr. ARENS. What are the names of them, please?

Mrs. AVNET. Pimlico Junior High and City College PTA.

Mr. ARENS. Do you now, or have you ever, held any position or post or office in either of those two organizations?

Mrs. AVNET. No, sir.

Mr. ARENS. Do you belong to any other organizations of comparable non-Communist composition?

Mrs. AVNET. What do you mean by "non-Communist composition"? You are not asserting that PTA is Communist?

Mr. ARENS. I am not asserting anything. I am just asking you for clarification. Do you belong to any other organization which we in this type of work call nonsensitive organizations? Do you belong to any other clubs which are clearly not Communist creed?

Mrs. AVNET. I have no way of knowing, sir.

Mr. ARENS. To what clubs or organizations do you belong? You have told us you belong to the PTA. To what other groups do you belong?

Mrs. AVNET. The Citizens Planning and Housing.

Mr. ARENS. Tell us about that organization.

Mrs. AVNET. They do a very good job, I think.

Mr. ARENS. What do they plan? Is it an official organization of the city?

Mrs. AVNET. No. It is a private organization. People who are interested in slum-clearance work or better housing conditions and so on.

Mr. ARENS. Have you held any office or post in that organization?

Mrs. AVNET. No, sir.

Mr. ARENS. Is there any other organization of which you are a member?

Mrs. AVNET. The Hilltop Civic Association.

Mr. ARENS. Have you held any office or post in the Hilltop Civic Association?

Mrs. AVNET. Yes, sir.

Mr. ARENS. What office or post have you held in that organization?

Mrs. AVNET. Program chairman.

Mr. ARENS. Are you presently program chairman?

Mrs. AVNET. Yes, sir.

Mr. ARENS. How long have you held that position?

Mrs. AVNET. This year. You know, for the current year.

Mr. ARENS. Is there any other post or office which you have held in that organization?

Mrs. AVNET. Last year I believe I was on the executive board as a delegate at large, or whatever you want to call it.

Mr. ARENS. Delegate at large of what?

Mrs. AVNET. Of the Hilltop Association.

Mr. ARENS. Delegate at large to what?

Mrs. AVNET. I thought you asked me if I ever held any post in that organization.

Mr. ARENS. I perhaps am a little confused. Are you a delegate from the Hilltop Civic Association to some other group, or from some group to the Hilltop Association?

Mrs. AVNET. I was on the executive board of the Hilltop Civic Association last year as a delegate at large.

In other words, I did not hold any post other than being on the executive board.

Mr. ARENS. Is there any other organization of which you are a member?

Mrs. AVNET. The Coordinating Council of PTA.

Mr. ARENS. Tell us about that, just a word about it, please.

Mrs. AVNET. That is an organization that is made up of—it is a delegated body from all the PTA's in New York City.

Mr. ARENS. That was some years ago you were on that; is that correct?

Mrs. AVNET. No.

Mr. ARENS. You still maintain——

Mr. WILLIS. You mean Baltimore?

Mrs. AVNET. In Baltimore. Did I say New York City?

Mr. ARENS. You said New York City.

Mrs. AVNET. I meant in Baltimore. All the PTA's in Baltimore City.

Mr. ARENS. How many members are there on this council?

Mrs. AVNET. Well, each PTA is permitted 1 delegate for every 200 school population. So that is a large number.

Mr. ARENS. Do you know any person in the PTA, who to your certain knowledge is a member of the Communist Party?

We are going to exclude yourself from this question. Do you know any person who is now an official, officer, or member of the PTA who is a Communist, and we are not going to talk about yourself. You are out of this question.

Mrs. AVNET. I never asked anyone. Since I am under oath, I really don't know how to answer that question.

Mr. ARENS. If you do not know, say you do not know.

Mrs. AVNET. I do not know.

Mr. ARENS. Are there any other organizations to which you belong?

Mrs. AVNET. There may be. I have always been a very active member in my community. I don't know whether I joined the United Nations or I didn't. I don't think I did. I get applications every day to join organizations.

Mr. ARENS. You don't mean to join the United Nations. You mean the American Association?

Mrs. AVNET. American Association, whatever it is called.

Mr. ARENS. Have you joined that?

Mrs. AVNET. I don't think so.

Mr. ARENS. Is there any other organization of which you are a member?

Mrs. AVNET. I don't believe so, sir; not to my recollection.

Mr. ARENS. So that this record is perfectly clear, is there any other organization of another nature or variety of which you are a member?

Mrs. AVNET. What do you mean by that, sir?

Mr. ARENS. The Communist Party?

Mrs. AVNET. I refuse to answer that question on the three grounds previously stated.

Mr. ARENS. And so this record is clear, are you presently, this moment, a member of the Communist Party?

Mrs. AVNET. I refuse to answer that question on the grounds previously stated.

Mr. ARENS. Do you belong to any professional groups?

Mrs. AVNET. What do you mean by professional groups?

Mr. ARENS. Well, teachers organizations of some kind?

Mrs. AVNET. No; I am not a teacher, so I would not be eligible to join.

Mr. ARENS. Do you belong to any club of professional women, anything of that character?

Mrs. AVNET. No; I don't.

Mr. ARENS. Thank you.

That concludes the staff interrogation of this witness, Mr. Chairman.

Mr. WILLIS. The witness has not been excused.

Mrs. AVNET. I am sorry; there was so much commotion—

Mr. WILLIS. Under questioning by Mr. Arens, you freely disclosed that you taught school in New York and that you taught school here, and that you were a secretary and office manager. Then counsel asked you what your next employment was. You invoked the privilege of the fifth amendment.

Mrs. AVNET. May I interrupt you, sir. I think that is incorrect. If we go to the record, I was asked where I was employed. That is when I invoked, not the fifth only, but the three privileges.

Mr. WILLIS. We will not quibble about 1 or 2 or 3 or more. I had understood that you invoked the privilege of the fifth amendment and the other two which you enumerated.

Mrs. AVNET. Yes.

Mr. WILLIS. In not wanting to answer the question as to what was your next employment, did I misunderstand you?

Mr. AVNET. Yes; you did. I was office manager. That was my next employment.

Mr. WILLIS. What was the question you refused to answer in connection with it—

Mrs. AVNET. Maybe we could find it in the minutes, or whatever you call that, the record.

Mr. WILLIS. You said yourself that I had misunderstood you. It was not the type of employment, but when or where you were employed?

Mrs. AVNET. Well, at this point I am confused, too. So perhaps we had better go back to the record.

Mr. ARENS. Have you ever worked for the Progressive Party?

Mr. WILLIS. In other words, having disclosed a number of employments, you have opened the door for all employments and I wanted to clarify the record in my mind.

Mrs. AVNET. What do you mean by work, sir? Paid work?

Mr. ARENS. Yes.

Mrs. AVNET. No, sir.

Mr. ARENS. Have you ever been engaged by the Progressive Party?

Mrs. AVNET. No, sir.

Mr. ARENS. Have you ever been active in the Progressive Party?

Mrs. AVNET. Active in what sense?

Mr. ARENS. In any sense.

Mrs. AVNET. You mean go to a party?

Mr. ARENS. Have you been active in the work of the Progressive Party?

Mrs. AVNET. You mean voting?

Mr. ARENS. Have you been active in the organization or work of the Progressive Party?

(The witness conferred with her counsel.)

Mrs. AVNET. Active has—

Mr. ARENS. What have you done, if anything, in connection with the Progressive Party?

Mrs. AVNET. I refuse to answer that question on the grounds previously stated.

Mr. ARENS. No further questions, Mr. Chairman.

Mr. WILLIS. The witness is excused. Will you call the next witness, please.

Mr. ARENS. The next witness will be Mr. Harold Buchman. Kindly come forward.

Mr. WILLIS. The subcommittee will please come to order. Will you raise your right hand?

Do you solemnly swear that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. BUCHMAN. I do.

Mr. FORER. May we have the television off, Mr. Chairman?

Mr. WILLIS. You certainly may.

**TESTIMONY OF HAROLD BUCHMAN, ACCOMPANIED BY COUNSEL,
JOSEPH FORER**

Mr. ARENS. Kindly identify yourself by name, residence, and occupation.

Mr. BUCHMAN. My name is Harold Buchman, 4578 Derby Manor Drive, Baltimore, Md. Occupation, lawyer.

Mr. ARENS. You are appearing here today, Mr. Buchman, in response to a subpoena served upon you by the House Committee on Un-American Activities?

Mr. BUCHMAN. That is correct.

Mr. ARENS. You are represented by counsel?

Mr. BUCHMAN. That is correct.

Mr. ARENS. Counsel will please identify himself on this record.

Mr. FORER. Joseph Forer, Washington, D. C.

Mr. ARENS. Where and when were you born?

Mr. BUCHMAN. July 28, 1916, in Baltimore.

Mr. ARENS. Just a word about your education, please.

Mr. BUCHMAN. Well, No. 62 elementary school. No. 49 Junior High School. Baltimore City College; University of Baltimore Law School, and a few miscellaneous language courses.

Mr. ARENS. When did you complete your law work?

Mr. BUCHMAN. In 1938.

Mr. ARENS. When were you admitted to practice law?

Mr. BUCHMAN. The same year.

Mr. ARENS. As a prerequisite to attaining the privilege of practicing law in this State, did you take an oath to support and defend the

Constitution of the United States against all enemies, foreign and domestic?

Mr. BUCHMAN. I certainly did.

Mr. ARENS. Were you at the very time you took an oath to become a lawyer in this State, a member of the Communist Party?

Mr. BUCHMAN. Is that why you called me here, Mr.—

Mr. ARENS. Mr. Chairman, I respectfully suggest this witness on this record be ordered and directed to answer that question.

Mr. BUCHMAN. Well, I am going to decline to answer that question for the following reasons:

First of all, under the first amendment which was a product of the persecution of people under the seditious libel trials in England in the 17th century, and as a result of the experience of colonists here where hysteria by the majority deprived minorities of rights, the 1st amendment was enacted to prevent the recurrence of such situations in this country.

Therefore, the first ground of my objection to any such question is that Congress has no power under the Constitution to appoint a committee with the powers that you so have used.

Secondly, that even if you had such powers under the first amendment, you have no right to interrogate me as to any political views, associations, or beliefs under the guaranties of freedom of speech and assembly, sir.

Thirdly, under the doctrine of the separation of powers this is supposed to be a committee of a legislative body without any power to act as a judicial body to try a person without the customary procedures that accompany a trial, and also under the same doctrine you are not a police enforcing body and I am pointing out to you what was contained in the case of *Quinn v. United States* in the recent Supreme Court decision.

Furthermore, I claim my privilege under the lawyer-client relationship because it is common knowledge that in this State I have represented people accused of leftwing and Communist activities, Smith Act case, and so on, but I don't press that objection primarily at this point.

In addition, I also object to answering the question because I do not see how that answer serves any possible valid legislative purpose. It is irrelevant, it is remote, it has nothing to do with any function of Congress or of this committee in proposing any valid legislation.

I have several other reasons, but my final reason at this time, and I am expanding at this point so that I can use shorthand if the case arises, to decline to answer questions in the future, the 5th amendment which grew out of a case in England in the 17th century where people were persecuted for heresy and the doctrine was embodied in the common law and as a result of Salem witchhunts in this country it became a part of the common law in this country, incorporated in State statutes and finally incorporated in the Federal Constitution as a fifth amendment, that no person shall be compelled to accuse himself.

In taking that privilege I want to be made clear that I am not making any admission of guilt, that this is a protection for the innocent as well as for the guilty, and that furthermore it is, in addition, a protection against unjust prosecutions.

Mr. ARENS. Are you presently innocent of Communist Party membership?

Mr. BUCHMAN. I refuse to answer that question, that cute question, for the same ground previously assigned.

Mr. ARENS. Now, sir, I have in my hand a copy of an article appearing in the Baltimore Sun of August 16, 1952, quoting yourself:

Harold Buchman, attorney and cochairman of the Progressive Party of Maryland, said the party does not object to taking the oath required by the Ober law if "it really means what it means on the face of it."

Is that quote a true and correct quotation of yours on that occasion?

Mr. BUCHMAN. What I say is a rather difficult thing, to hold a man up here and go back 5 years and ask on such and such a night where were you, but it sounds reasonable, so I accept your version of it.

Mr. ARENS. Is that a correct quotation?

Mr. BUCHMAN. It is in the paper. It sounds reasonable. I accept your interpretation.

(Document marked "Buchman Exhibit No. 1," and retained in committee files.)

Mr. ARENS. Do you object or did your colleagues in the Progressive Party object to taking the oath under the Ober law?

Mr. BUCHMAN. I think as a matter of fact—let us see. I represented candidates for the Progressive Party in the courts where the oath was eliminated as to candidates for Federal office and in the Supreme Court the oath was so interpreted by the Supreme Court and so narrowed that it wouldn't, it couldn't, lead to unjust persecutions by reason of vague and ambiguous language contained in that affidavit.

Mr. ARENS. Did you ever sign an oath under the Ober law?

Mr. BUCHMAN. I think I did, as an elector to put the candidacy of Vincent Hallinan on the ballot in Maryland in 1952 and that was a truthful oath.

Mr. ARENS. Were you a member of the Communist Party at the time you signed the oath under the Ober law?

Mr. BUCHMAN. I again, for the various reasons that I have previously cited, and again adding that claiming particularly the fifth amendment does not constitute an admission of guilt as to anything and, further, that it is a protection of the innocent as well as the guilty and a protection against unjust prosecution, I decline to answer your question.

Mr. ARENS. We are interested in developing facts that can protect the Constitution of the United States and the internal security of this Government.

Mr. BUCHMAN. I have my doubts on that score.

Mr. ARENS. I should like to ask you, in the pursuit of that avowed objective of this committee in developing facts to protect the Constitution and this Republic, if you can tell us what, if anything, you know about the Council for Jobs and Relief in Baltimore. Do you know anything about that organization?

Mr. BUCHMAN. That was asked me the last time I sent out a punitive expedition in 1951.

Mr. ARENS. The punitive expedition to which you refer was the committee's interrogations?

Mr. BUCHMAN. That is right.

Mr. ARENS. Is this present session a punitive expedition?

Mr. BUCHMAN. I consider it so. Why do you have me up here? I told you then I didn't remember what it was. I have a vague recollection, what was that, in 1949?

Mr. ARENS. The Council for Jobs and Relief in Baltimore; yes, thereabouts.

Mr. BUCHMAN. I have a vague recollection of helping people to get welfare at that time when I had the time to act as an eleemosynary institution.

Mr. ARENS. Where were you employed in 1948? Do you recall?

Mr. BUCHMAN. Yes, I was executive secretary of the Progressive Party, full time.

Mr. ARENS. Who employed you?

Mr. BUCHMAN. Well, as I recall, I was elected by a duly constituted committee of the Progressive Party.

Mr. ARENS. How many people were on the executive council here, approximately?

Mr. BUCHMAN. In 1948?

Mr. ARENS. Yes, sir. Do you have a recollection?

Mr. BUCHMAN. I am sure your dossier is far more complete than mine. I have no recollection, 20, 30, 40.

Mr. ARENS. Were there as many as a dozen on the executive council?

Mr. BUCHMAN. As I recall, I think there was a State executive committee. I am surely speculating. This was 9 years ago. A State executive committee and a State board.

I really couldn't tell you the composition or the number of people.

Mr. ARENS. Did you thereafter or at any time become cochairman of the Progressive Party in the Baltimore area?

Mr. BUCHMAN. If you had asked me before I heard you mention it as one of your previous statements, I would not have recalled it, but I think I did hear you say I was cochairman with Otto Yerrell at one time or another.

Mr. ARENS. Did you know Otto Yerrell?

Mr. BUCHMAN. Yes.

Mr. ARENS. Did you serve as cochairman with him?

Mr. BUCHMAN. Apparently I did. I have no recollection.

Mr. ARENS. Can you state to your certain knowledge whether or not Otto Yerrell was a member, or has been a member, of the Communist Party?

Mr. BUCHMAN. Again, for the various reasons I have stated, I decline to answer the question.

Mr. ARENS. Do you honestly feel if you told this committee truthfully whether or not to your certain knowledge Otto Yerrell has been a member of the Communist Party, you would be supplying information which might be used against you in a criminal proceeding?

Mr. BUCHMAN. It is possible, but remember, it is not an admission of guilt, that the fifth amendment as the Supreme Court has said time and again, and I think it ought to be made clear because of the misinterpretation of that amendment made yesterday by the chairman, is a protection for the innocent as well as for the guilty and against, also, unjust prosecution.

Mr. ARENS. Did you know a man by the name of Milton Bates?

Mr. BUCHMAN. I certainly did.

Mr. ARENS. I beg your pardon?

Mr. BUCHMAN. Surely, yes.

Mr. ARENS. How did you know him?

Mr. BUCHMAN. How did I know him?

Mr. ARENS. In what capacity did you know him?

Mr. BUCHMAN. As a client.

Mr. ARENS. In any other capacity?

Mr. BUCHMAN. As a friend.

Mr. ARENS. Any other capacity?

Mr. BUCHMAN. You are trying the process of exclusion. Why not save time and get down to what you are after. I am going to decline to answer the question.

Mr. ARENS. In any capacity in which you knew him, sir?

Mr. BUCHMAN. What do you mean?

Mr. ARENS. Did you know him as a Communist?

Mr. BUCHMAN. That is what I asked you to ask so we will save time. I say I decline to answer that question.

Mr. ARENS. I put it to you, sir, as a fact, and ask you to affirm or deny the fact, that you recruited Milton Bates into the Communist Party. If that is not so, deny it under oath.

Mr. BUCHMAN. Why don't you stop hamming for the television cameras, Mr. Arens? I refuse to answer that question for the same reasons. Just calm down and ask the questions properly.

Mr. ARENS. We have been maligned by experts. It does not bother me a bit.

Mr. BUCHMAN. I am not trying to malign you. And I am not an expert, but it is a trying thing to sit here through the day when you have an active law practice and to be put through the second time the same kind of ordeal. It is a bit of a strain.

If I in any way appear to be offensive, I am sorry. I don't want to give that impression.

Mr. ARENS. Do you know a man by the name of George Meyers?

Mr. BUCHMAN. Well, of course, Mr. Meyers is a client of mine.

Mr. ARENS. Do you know him in any other capacity?

Mr. BUCHMAN. The same answer I have previously given. Of course, your question is vague, but I assume you are leading up to the question—

Mr. ARENS. To what?

Mr. BUCHMAN. To the question that you are already asking, I think you have set the pattern. I just want to save time.

Mr. ARENS. Have you ever served in a closed Communist Party meeting with George Meyers?

Mr. BUCHMAN. Again I will have to exercise the—give the same answer and decline to answer the question.

You know I represented him in the Smith Act case in 1951 or 1952 in Baltimore.

Mr. ARENS. Just one final question. Are you presently a member of the Communist Party?

Mr. BUCHMAN. Again I have to, for the reasons stated at length, refuse to answer the question.

Mr. ARENS. Mr. Chairman, I respectfully suggest we conclude the staff interrogation of this witness.

Mr. BUCHMAN. And again reiterating my claim of privilege does not constitute an admission of guilt of anything. The privilege is a protection for the innocent as well as the guilty and a protection against unjust prosecution.

Mr. ARENS. I respectfully suggest, Mr. Chairman, that will conclude the staff interrogation of this witness.

Mr. WILLIS. The witness is excused.

The counsel for the committee has just told me that this concludes the hearings in Baltimore. In concluding the hearings, I should like to make a few observations on behalf of the committee.

Although I have been able to be present only during the last day of the hearings, I have had the benefit of consultations with my colleague on the subcommittee, Mr. Robert McIntosh, and the staff. These hearings have revealed, first of all, the continuing menace of the Communist conspiracy.

This is evident by the fact that notwithstanding convictions under the criminal statutes of Communist conspirators, and notwithstanding prior hearings covering this area in which Communist agents have been identified, the conspiracy continues to function now, and as Mr. Clifford Miller, the first witness, declared: The Communist Party is a greater menace now than ever before.

It is deeper underground. Therefore, more difficult to detect and expose.

Therefore, at this point I want to make one thing perfectly clear now, that the committee knows that we have only produced in these hearings a fair sampling of the Communist activity in this area. We feel that our responsibility is too broad and our resources too limited for us to undertake to run down all possible leads in any given area.

Remember, the entire staff of our committee, including our clerical, research, and investigative staff, is approximately only 35 persons. We have only 8 investigators.

The Communist Party, on the other hand, has a force of over 17,000 who may be accurately described as trained, dedicated, hard working-agents of a foreign power.

In view of this situation, it is our profound hope that the local authorities here, and especially the antisubversive unit of the office of the Attorney General, will be continued and strengthened in the splendid work which it has been doing.

We of the Committee on Un-American Activities are pleased to commend this unit and express our deep appreciation for the thorough cooperation we have received not only from the Attorney General, C. Ferdinand Sybert, but from Walter W. Claggett, Edward R. Jeunette, Louis E. Schmidt, McNeal Brockington, and Flan Couch.

What has been accomplished by these hearings in Baltimore? First, we have confirmed the pattern which we have seen in other areas of the Communist operations of the conspiracy.

Second, we have received authoritative information by undercover agents which explodes the hoax which the Communist Party is seeking to perpetuate, that is, that it is just another innocent political movement.

Third, we have uncovered new fronts and new techniques of the Communist Party.

This entire record will be studied very carefully by our committee and considered from the standpoint of possible amendment to existing internal security laws, so that we may more effectively deal with the new techniques, new strategies, and tactics of this conspiracy.

I should like to express the committee's appreciation for the courtesy of the many who have cooperated with us, including Chief Judge Roszel Thomsen of the United States District Court, in whose courtroom these hearings have been held; Mr. Gerald Bracken, United

States Marshal, and his able deputies; the press; the radio, and TV representatives; and finally, those who have been present here and who have so graciously cooperated in these sessions.

Mr. McIntosh, do you wish to make a statement?

Mr. McINTOSH. I would like to concur with our chairman's statement. I would like to say in explanation to some of the people that have been here quite diligently, that we do not attempt to debate law with the witnesses or their counsel.

Counsel and myself are former practicing attorneys. It is not that we are not willing to discuss the point. It is that the time and the procedures do not allow a legal debate with each witness.

We are here because Congress and members of this committee are convinced that when the central fact of our existence today is our conflict with the Communist Party overseas, it would be less than prudent to ignore Communist activities within the United States.

I again say we have appreciated the courtesy which we have received. Thank you.

Mr. WILLIS. The hearing is adjourned.

(Present: Representatives Willis and McIntosh.)

(Thereupon, at 4:25 p. m., Thursday, May 9, 1957, the subcommittee was adjourned subject to call of the Chair.)

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